

¶ The Safegarde of
Societie:

Describing the institution of
lawes and policies, to pre-
serue euery felowship of peo-
ple by degrees of ciuill
gouernemente:

Gathered of the Moralles and
policies of Philosophie
by Iohn Barston.



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1576.

To the right honorable,
his very good lord, L. Robert Dudley,
Earle of Lecester, Baron of Denbigh, Knighte
of the most noble order of the Garter, Master
of the Queenes Maiesties Horses, and one
of hir highnesse priuie counsell: *John*
Barston wisheth a long and prospe-
rous life, with all encrease
of honour and endu-
ring fame.



Hen Aristobu-
lus (right Ho-
norable) amhi-
storiogtaphen
of the Grecks,
treating of the
noble actes of
Alexander the
Greate of Ma-
cedonia, seemed for his speeches vvith-
out measure, more guiltie of learned
flatterie, than zealous to report so vvor-
thy ghests: the king as highly offended

A. ij.

vvith

The Epistle

vvith suche paynted ostentation of borrowed eloquence, in great choller cast his Booke into the floud Hydaspes, and turning him about vvith a frownyng countenance, But thou (saith he) deseruest most of all to bee drovned heere, that art the Author of suche shamefull follies. I remember it the rather (right Honorable) for that many else in consecrating like labours of learning, to such as they chose to defend the same, in commēding their good deserts, haue vnauvares incurred the yrckesome crime of adulation, to gaine contempt of all their traucelles: vvwhich in the vvifdome of some, may fitly be compared to that of *Cato Censorius* an auntiente Romane, that beeing asked vvhy hee had not his image of remembraunce kalēdred amōg the noble VVorthies, to eternize vvhat a one he vvvas: made aunsvvere, he had rather good menne shoulde muse, vvhy he vvvas not honored for his vvell deservings, than any
man

Dedicatorie.

man to blame him for condescending
to be famous. But for mine ovvn cause,
in pleading to your honours protection,
for these my beginnings, as I haue ra-
ther borowed to conceale youre con-
digne prayses, than to hazard my selfe
in perill of misliking: so dare I thus
much as firme: In steede of the picture
proponed to Cato, you haue purchased
such memorie by your many merites,
as shall for aye recorde your noble fame
vwithin the lasting rolls of good report:
vwhich your dayly exercise to conferre
of all mens causes, as rare is founde in
noble men, if your selfe vvould vvish
to shut in silence, yet so great humani-
tie, vvith other qualities, as God, Na-
ture, and Fortune, haue liberally im-
parted to your being, shall freight your
name and honor euery vvhere, neuer
to bee had of many people in oblivion.
Among vvwhich your vvonted vertues,
the fauour and affection you beare to
learning, doth animate many to ac-

The Epistle

quaint your honor wth their lettered
travellers, as a fond guide to vvarraunt
each ones good nature. VVhereof my
selfe, having procured to me what be-
fore this time, I am continued greatly
to like vnto your allowance, for
that w^{ch} hardly first I was per-
suaded lightly to presume. For after I
discontinued the vniuersitie, before I
could apply to consider of the common
lawes, to w^{ch} I began to give my
selfe, I frequented, as I was wont be-
fore, to continue reading histories of
many people, Iacedemons, Atheniens,
Romanes & others: comparing by the
way wth what I could observe to growe of
Philosophie, in w^{ch} I had bin forme-
ly studied, and a greate deale more
delighted. I gathered there hence also
many common places of the grounds
of gouernement, w^{ch} policies had put in
practise: to begin societies for comede-
ment of a common weale, & gaing
therein pleasure, to confer the growthe

Dedicatorie.

of our english lawes, howe farre they
vvere excellling in equitie, godly pro-
uisions, and approoued order, the lawes
of other natiōs. And as the times of my
vacations profered, I vvent on vvarde,
vvith behauiour tempered by vertue, to
ciuilitie: howv also policies begā to safe-
keepe societies, vvhicke through the
spreading maimes of vertue, vvcrelyke
in fine to be disperaged: contriuing the
same treatise like, as my vvant of skill
vvould giue me leaue. VVhich priuate
exercise, procured fast a greater busi-
nesse, by vvorking me to fauoure mine
ovvne presumption, to hazard the re-
bukes of other men. For vvhen I least
thought any part thereof to be sence-
broade, my familiar friend, a gentleman
tovvards your honors seruice, not so
neere alied, as vvhom for learnings sake
I honored, happening of late to finde
the Copie in my hande, and more per-
happes affected vnto me, than the han-
dling of the same deserved, after hee
A.iiij. had

The Epistle

had read avvhile, began to vrge me very hard to bee of his opinion: howe no man ought to hide to him selfe any thing that may profit others: and flattering me vvithall familiarly, to thinke my labours might be profitable, he practised vvithout nay, to vvinne me to make that commō, vvhich for my selfe alone I had intended. He left not also to compare the opportunitie and fitte occasion profered, to make conizaunce of the loyall hart, that esfoones since your late being vvithin your stevvardship of Tevvkisberie, I vvished to vnfolde before your honor, for the greate humanitie you then vouchsafed amōg other noble personages to tarie my tedious and rude Oration, appoynte to your honor, besides your Lordshippes liberal revvard & publike cōmendatiō, more than any cause deserued. He added last of all, to charge me vvith ingratitude, if not, to satisfie his hest: vvwhose good discretion, I had at other times so

vvel

Dedicatorie.

well allowed, that I thought it iniurie
then, not to be consenting to his iudge-
ment: whose singular loue and affecti-
on, I had so many wayes approoued,
that I demed it vnreasonable, to denie
him vvhath he vvished: Since vvhicke
time, lo crooked destenie, cruell Atropos
so enuied him aliue, that his vveb vvas
quickly spunne, the tvvine vvas cut off
at the middest, and vntimely death a-
bridged short the freshest part of his pri-
mer yeeres: vvhicke so dismayed me at
first vvith perplexed opiniōs of sodaine
griefe, that it seemed bitternesse, to pro-
ceede to that I promised. Howbeit re-
turning to my selfe again, as loth to ob-
scure my friends desertes, I thought
it then a dutie to perimplishe that, vvhi-
che earst I hardly coulde imagine to be
parcell of my charge. I vvas also relee-
ued of my greatest care, in hope youre
honour vvould receyue my laboures,
to bee patrone and protectour of my
cause: for else in such swallowving seas

A.v.

of

The Epistle.

of sclauder, as enuious tongues do flecte
to frustrate all that euer their belching
malice vvoulde haue drovned in the
bottome of miliking. I had hardly bin
persvaded to aduventure the sayles of
my simple trauelles, vvithoute more
trustier tackle, lest so my laboures might
bee construed to make my boldnesse
purchase blame. Hauing therefore finis-
shed somuch as I was able to performe,
of the beginning of lawes to incorpo-
rate societies vnto vertue, vvhiche I
name therefore *The Safegarde of Societie*, I
offer the same to youre honours enter-
taynement, last of all, to intimate the
hope vve all conceyue of your honors
late preferments layde to our vvne,
to furnish that your noble auncestors
of the Earledome of VVarvvicke in
elder times began; vvhiche some Au-
gures vvoulde suppose, by destenie so
decreed, by one of the same noble
house to be fully perfited. For vvhiche
your firme proceedings, and continual
councell,

Dedicatorie.

councell, to fauoure and support oure
being (through the industrious meanes
of the vvershipfull Esquier, your sub-
stitute, and our Mecenas, Master Ga-
briel Blecke, vvhome I remember for
his great desertes) as the vvorthy orna-
ments of true nobilitie, shal make your
name among our monuments of your
noble auncestors, to be talked of, of all
posterities. And for my selfe, submit-
ting me vvholly to your honor, that I
may presume your vvonted fauoure,
to accept these fewve vnlearned hand-
fulles, vnlearnedly gathered, as the na-
ked growthes of a barren soyle, and
first frutes of such an enterprise (vvhich
to satisfie his ghost, that layde the
charge vppon mee, I am forced to sue
and entreate for to passe it vnder
vvarrante of youre honors good pro-
tection, vvwhose onely name, maye
priuilege my cause. I surcesse to holde
you from youre vvaightie businesse,
vvith the pleas and circumstaunces
of

The Epistle.

of my grosse and tedious stile, only crav-
ing pardon for my boldnesse at the cē-
sure of your due correctiō. And as my
bounden dutie is, beseeching God, as I
shall alwayes pray, to direct and leade
yours honour still, in the godly course
you haue hitherto most godly traueled,
to bee a sure pledge of counsell to
your gracious soueraigne, an earnest
fauourer of learning and religion, & a
carefull prouost for the publike vveale,
vvhile life lasteth, to gods pleasure, who
euer preferue you in honorable being,
to your latter ende, and sende you
felicitie to endure endlesse.

From Tevvxberie the
22. of Februarie.

Anno. 1576.

Your honours humble
and most bounden,
Iohn Barston.

To the Reader.



Was alwayes of the mind, gentle Reader, that they presume many greuous labours, which offer their paynes, to treat any thing in writing. VVhiche

C. Lucilius so well considered, that as *Cicero* re-

Cic. de oratore

re. 2.

porteth, he was wont to say: neyther learned or vnlearned should reade his doings, bycause the one was ignorant and vnderstood nothing, the other was too wise for him to aunswere their expectation. For some will blame the

matter, and some will mislike the stile: many iudge others by them selues, and none condemneth not the same that many else allowe.

The onely cause may bee, for that they ponder not, how euery man hath a certaine veyne, eyther by imitation so confirmed, or by long vse so rooted, or else of desire to be playne, so grown to an habite, that his inuention and stile cannot be other than hee vseth: for, some doe hate breuitie, and some thinke all that is long to be tedious: as *Cicero*, that was so copious, as nothing coulde bee added: and *Demosthenes* so briefe, as nothing could be taken from him. As *Cicero*, that woulde not leaue, till the eye, the eare and mouth of the reader were full in euery sentence: and *Salust* was loth to fill one of them,

To the Reader.

them, with an whole Oration. The Lacops in like manner, woulde abide no length: but the Greeke Sophisters woulde make an Elephant of a flie, and a Mountayne of a molehill. Some men also loue to haue a thing stile like, and others care for no more but the very sense. For the manner of inuention, some folowe diuisions, some similitudes and examples, some the conclusions of Logicke, and some the vse of eloquence: and none there are, that meddle not other mens authorities with their owne inuentions. VVhereof saith *Flautus Albinus*, It is a certaine frute of reading, to folow that whych in another is allowed, and to conuert the notable sayings of others, to some vse of thyn owne. And therefore *Afranius*, to suche as reprooued him for borrowing certayne speeches of *Menander* the Poet, I confesse (sayth hee) I haue not only borrowed of him, but also of euery other Poet, as much as I thought my selfe was not able to amed. And so sayth *Quintilian*, we must imitate the little bees, that gather many floures, and dispose the same in combes, to worke out of many good mixtures, the good and holesome hony: for (saith he) when a man readeth the learning of others, he sheweth himselfe to profit by conuerting the same to obseruations

Albinus.

Afranius.

Quintilian.

To the Reader.

seruations of his owne. For example, what *Po-*
et almost hath not to do with *Homer*? as for *Ver-*
gill, he folowed his method in a thouland ver-
ses: & *Strabo Cretensis* was Homericall in al that
he did. Did not *Cicero* likewise apply to *Plato*
and *Demosthenes*? and did not *Quintilian* and the
most after him folow *Cicero*? for it cannot be a-
misse, saith *Plinie*, so that thou giue thine Au- *Plinie.*
thor the praise that he hath deserued. As *Tba-* *Tbales.*
les Milesius answered *Mandritus* the Philoso-
pher, I desire no more (saith he) but when thou
wriest any thing that I haue taught thee, confesse
me rather to be thine author, than that any o-
ther inuented the same. I stād the longer gentle
Reader, to prooue my first allegation, for that
my rudenesse of phrase and tedious stile, may
hardly scape rebuke, & also my borrowed spee-
ches, of the store of other authors, may seeme
to some not tollerable: besides, the argumente
so often handled of many learned heretofore,
may be the lesse esteemed. These are great cau-
ses to dissuade one frō such vnthākfūll trauels,
& had almost discouraged my simple skil, to bu-
sie me with that which becōmeth riper yeres &
mē of elder iudgement, if I had not hoped the
indifferēt Reader will cōster well my good in-
tēt, being also of opinion for myne owne part,
that none may excuse his idlenesse that may be
profi-

To the Reader.

profitable any wayes to himselfe and others. I haue therefore, by request of others, boldly aduentured to make commō mine ignorance, to stirre the learned hereby the rather to exercise their knowledge. In whiche I haue not laboured so muche to teach any, as to vtter what my selfe haue learned: I haue studied more, to report the wisdom of others, than to furnishe mine owne inuentions: I haue rather remembered, what is commonly knowen of all, than deuised any manner thing of newe. For who knoweth not, that euery societie of people, is established for common weale? who knoweth not the same is by lawes confirmed? and last of all, who knoweth not that lawfull gouernement is it that directeth all degrees? which good direction, bringeth felicitie vnto all people, and especially ciuill behauour in townes and cities. Howbeit, the great securitie of magistrates, the lewdnesse of the common sort, the manifold abuse of lawes, the shamefull exclamations vpon gouernement, and the froward manners of all degrees, cannot in any volumes too often be remembered. And therefore, haue I offered (gentle Reader) to thy friendly entertainment, this vnlearned treatise, of the *Safegard of Societie*, howsoeuer the matter and stile may like

To the Reader.

like thy iudgement. Of regiment and common weale, many woorthy works haue bin written, & (besides the Bookes of holy Scripture) none more necessarie: and I woulde to God, they were so well folowed, as they bee commonly talked of, of all people. But of that special kind of societie and fellowship of one people, gathered together in one towne, whiche resembleth the beginning of all ciuilitie, and is the liuely president of behaviour to the rusticke and ruder sort, haue I chosen chiefly to entreate. Neuerthelesse, I haue first begun with the ground and necessitie of lawes, to shewe, that after losse of original righteousnesse, though the law of nature might reprove mankynd of wicked doing, yet the same nature being once corrupted, and euer tending from euil vnto worse, it was needefull that temporall lawes shoulde quicken that mayne of obliuious nature, and to declare that vnder payne, which nature had most gently charged, all whiche was to restore man agayne to his first condition. VVhyche lawes, I haue also proued, to worke on the tender seedes of the same originall goodnesse, that still do remayne in man, not vtterly choked with vngenerationnesse: so that at last, the sauage people of the first world, as it were sub-

B.

mitting

To the Reader.

mitting them selues to rule, began kingdomes, and after that, putting off by little and little their wilde and vplandishe manners, they practised to gather themselues into societies of townes and Cities, fencing and defending the same, with as much safetie as they coulde deuise, from the inuasions of their enimies and straungers. Then haue I also described a Citie and common weale, with the generall charge that longeth therevnto. And before I come to the peculiar duties of all degrees, as the same is by ciuill policies and compulsarie lawes described, I haue first vsed the morall instructions that philosophie teacheth, howe mans life by only course of vertue should be directed: And the haue I noted the state Oeconomical, of the duetie of mariage and household, with the circumstances of the same, as necessarie accidents conducing to the furniture of good gouernement in the body politike, being the firste societie, and the very beginning of all other. Then haue I sequestred societies, into sundry kindes, to the only intente, that the necessitie thereof appearing in priuate causes, the publike societie of all, may be duely honored: And that by obseruing the *decorum* and comely behaviour, in perticular degrees of felowshippe, the common

To the Reader.

common preferment of all may be more easily
perfit. VVhiche being done, I haue last of all
concluded the duetic of both degrees briefly,
as wel cōmon sort as magistrates, and how ne-
cessarie good counsell is vnto gouernement
and the office of a counseller: and therewithall,
what things chiefly do belong to commō pro-
uision, for the profit, preferment, safegard, and
estimation of al societies: wherein I doubt not,
but the vnlearned, though he gaine none other
profit by reading, shall yet bee delighted with
the varietie of examples and speeches of lear-
ned writers, whiche I haue filled euery leafe
withall, to recompence his leasure bestowed
therevpon. As for the learned sorte, I rest mee
wholly on their wonted humanitie, that fa-
uourously construeth euery mans good intent:
whiche though I neuer prooued in mine owne
trauelles, yet if I may purchase pardon at firste,
I must needes accompt it a rewarde of happie
hire. And then I feare not the report of Zoilus
broode, that vnhaspe their tongs, to be finding
faultes, of onely malice to deface mens good
deseruings, or else bycause they hate to say wel
of any: but I only wish them, to prooue like la-
bourers before they reprocue my trauelles. And
so I commend the whole cause (gentle Rea-

B.ij.

der)

To the Reader.

der) to thy correction, only crauing, that if faule
may bee founde with my boldnesse, that my
good meaning may excuse the blame: and
where my rudenesse wanteth cunning, that
thine accustomed sufferance may not be de-
nied me to remitte all that mine ignorance
hath offended. For so shall I be encour-
aged with better will, to employ
my selfe to deserue better
heereafter.

(::)



I. Har. Oxoniensis car- men ad Authorem.

Qui posuit dulces discendas Palladis artes,
Nei studet optatam, cunctis prodesse Minervam :
Sed vitam traxit, sic prorsus inutilis esse,
Id mercedis habet, Musis indignus haberi.
At tua te Pallas urget, persolvere munus,
Dum labor est ciues patrios, pietatis amantes,
Flectere : testis opus, nullum periturus in ævum.
Hoc mercedis erit, patriæ quod charus amansque,
Iuris, honestatis, legum Barstone tulisti :
Hoc mercedis erit : spero te semper, & opto,
Iuris, honestatis, legum pia cura manebit.
Et quos cepisti, perfectos perfice gressus :
Id manet in votis, cuius te sepè rogantis
Non sprete velles hos tu sumpsisse labores.

I. Barston ad eundem. I. H.

Quæ potui crassa, tandem persoluo Minerva,
Susceptum debito, sed temerantis opus.
Quod victus fecerim precibus suadentis amici,
Id reor adscribi, crimen amice meum.
Non ego mercedem curo, sed merces ut ista
Pensetur meritis, lectio fausta meis,
Hoc etenim cupio, si vel contingere posset,
Ut discant ciues iura tenere pia.

B. ij.

Vtque

*Vtque fidem seruent, & publica munera iustum,
Vt sint concordēs, dissidiumq̃ vetent.
Id ego mercedis petij, ne Zoilus acerbet,
Fastidij penas, id mihi merces erit.*

T.G. to the Reader.

THe restlesse busie Bee, doth range
about the fieldes, to reape
The sootes & hearbes, that serue hir turne,
to be hir Dayly meate:
Which layed vp within hir stalles,
she workes hir secret skill,
Besides to feede, with sweetely breath,
hir arte for to fulfill.

That is: for to conuert the same,
to iuice of honie sweete,
By laying forth hir soote contents,
in combes therefore most meete.
Which done: the Gardner then proceedes,
for to employ his paynes,
And to collect these stalled wares,
to peeld his labour gaines.

The same he tries, and neuer leaues,
till arte hath made it pure,
Which then, a thing of worthy price,
will prooue, he can be sure.
For this is true: that neuer it
corrupted shall you see:
Besides, it suffereth nothing else
corrupted for to be.

The

The Bee therefore, doth serue our turne,
the Gardner merites prayse :
The like euen so, may be compar'd,
of learning nowe adayes.

The sages graue of elder time,
haue played well the bees,
Their lerned works with hony sweete
together well agrees.
Which neuer touched with the fire,
of christian skill, I meane,
From Paganisme deserbde also
to be depured cleane.
In which these latter times of vs,
haue many done their care,
My friend, as one among the rest,
I boldly may compare.
Which noting first the vse of lawes,
to shewe his countrey zeale,
Compendiously employed hath
the same to common weale.
A stall of hony-sweete, no doubt,
if well we tast the same,
And well repurgde of paganisme,
cleane changed from the name.
Whose nature also is so sounde,
as else in it we finde
A vertue eke, repugning cleane
corruption of the minde.
For lessons good, are learned here,
to exercise alwayes,
By lawes and lawfull policies,
a life deseruing prayse.
Giue then the authoz also praise,
though none he doth desire,

Let

Let Barston gayne a better meede,
than Foilus wonted hire.
For these his laboures, well deserue,
blame not his good intent,
Confesse the same, let praise alone,
so will he not repent
That so himselfe aduenturde hath,
to satisfie his frende,
Nor will denie his friend the like,
if friendship nowe he finde.
What greater prooue of great good will,
than loue so printed deepe,
Is mindful of his friend, though dead,
his promise for to keepe?
With fauoure then, his laboures reade,
the dead would so desire,
And Barston craues none other price,
but fauoure for his hire.



THE PROHEME

or introduction, shewing

how cities are incorporate & maintained by lawes, and also that for want of inclination to vertue and vertuous liuing, lawes were first put in vre.

CHAP. I.



It is first of all most manifest, and common experience teacheth that whiche the Philosopher sayeth, to bee verie true, That with out lawes there can be no citie

No citie without lawes.

at al. For if the citie consisteth of a multitude, to bee well ordered and civilly governed in many degrees (as shal be shewed after) how can the same stande without politicke and lawfull rule, since the nature of man is so corrupted, & naturally he hateth vertue, & is most

C.

shame=

The Safegarde

Lawes
spurres to
vertue.

Vertue
what it is.

Shamefully prone to al manner vice & naught-
tinesse? Seing also lawes are nothing else in
deede, but spurres to picke men vnto vertue,
fettlers to controll vice, and iust iudges to de-
termine both aright. And therefore euen the
Paynimes, as many as treated of regiment
of common weales or Cities, as Plato, Ari-
stotle, Cicero and others, began first of all to
set forth vertue, before they prescribed lawes,
as it is the only cause efficient of a ciuill and
happye life, and the final cause of all, why la-
wes were first inuented. By which they wold
learne all people, that if vertue for loue of hir-
selfe might be imbraced, then lawes, the in-
struments of compulsion, should neuer be at-
tempted or put in execution. For vertue, they
conclude, to be the fountaine and roote of all
that may be called honest and good, the pos-
session whereof must needes be then the onely
ornament of mans life, and the marke that
lawes and policies doe tende vnto. For thus
the Philosophers gather it, by desyning eche
circumstance. *Virtus est habitus, qui inclinatur
voluntatem ad obediendum recte rationi: Ver-*
tue is an habite or notable disposition of the
minde, inclining and drawing the wil of euery
man to obey reason. As Aristotle and Ci-

cero

Cicero both say briefly: the very consente of
 righteousness of reason it self, which reason also
 is defined part of the mind y^e discerneth good
 from euill, embraceth vertue & shunneth vice: &
 as Aristotle hath in the place aforesayd, con-
 nected and agreeing with Prudence & Wis-
 dome: Which Prudence saith Cicero, is who-
 ly occupied in searching and inuention of
 truth, whiche argueth that nothing can haue
 parte with vertue, which reason by wisdom
 hath not approued for honest and good: which
 consequentelye is then to be called vertue and
 not before. If vertue then swarueth not from
 reason, and reason is ioyned with Prudence,
 & Prudence tryeth the Truth: it agreeth well
 that prudent and wise policies, deuised good
 and resonable lawes, to worke in men y^e true
 vnderstanding of vertues loze, whiche brin-
 geth happinesse, from whom they were decli-
 ned. By this appeareth, that for vertue and
 agreeing with vertue, it was needefull that
 lawes should be deuised And to proceede fur-
 ther, what in very deede doeth vertue in com-
 parison procure, that lawe likewise intendeth
 not? By vertue are we learned out of Cicero,
 first of all, what is honest and dutiful beha-
 viour, and what with honestie agreeth and
 what is contrarie: Secondly howe to pacifie
 C. ii. and

Eth. 6.

Tusc. 4.

Reason

what.

Prudence.

Three effects
of vera.

The Safegarde

The like
effectes of
lawe.

Virtue. 2.
manner
waies reli-
ued.
By philo-
sophie.

By lawes.

and rule the disordered passiōs and perturba-
tions of the minde, and to subiect the motiōs
of our appetites and unrulie wil, to obey rea-
son. Thirdly to know office and dutie to such
as defende our tranquillity, and minister iu-
stice to all that are oppressed. And wherefore
else serueth lawe, but that publike honesty,
dutie and office may be preserved, euil affectes
of men suppressed, magistrates that do iustice
obeyed, al trespassours and malefactors pu-
nished. And bycause those honorable vertues
were defaced by that natural corruption that
lineally descended on al y world by wilful se-
curitie of y first mā, y was stalled in so great
dignitie: it the refled, some meanes to be pro-
cured for reparation of man again, and to re-
fourme his manners by helpe of these small
seedes that yet remayned in him. Wherefore
as God bestowed his gracious wisdom, so
two maner wayes that great decaye was
set vpon, to be salued first by moral discipline,
which without correction, learneth mē hone-
stie, iustice and good manners, by rules and
good lessons of exhortation, and then by pe-
nall lawes, which argue and chastise the in-
solent behauiour of leude & euil persons. The
first was vled of the learned & wise, which for
their

their zeale deserved to be called philosophers:
 the seconde was the practise of all politicke
 good princes and magistrates. The first was
 chiefly exercised of Philosophers, but the se-
 conde they also noted, to regiment not un-
 necessariz, as appeareth in their bodies of poli-
 cies and common weales. And the second did
 princes and magistrates put in execution, be-
 cause the first was negligently regarded. For
 during the golden worlde (as the heathen na-
 tions did terme it in time of ignorance of
 Gods lawes) so long as philosophie was the
 Goddesse of all nations, the very loue & com-
 mendation of vertue, was sufficient price, to
 inuite and stirre men to all maner goodnesse:
 but when these iron times were come, that
 vertue was exiled, and the rust and canker of
 vice created mens hartes to chuse the deapth
 of euil: the malice of man deserved in steade
 of good counsell and gentle admonitions, to
 be checked with rigour of lawe and extreame
 punishmentes. As noted Aristotle, to one
 that asked what he gayned by Philosophie:
 Mary saith he, I learne to do that for vertues
 sake, whiche the common sorte of menne are
 forced to do by law, for feare of paine. Where-
 unto likewise applied Cicero, when he sayde:

C. iij.
Aliter

The Safegarde

*Aliter leges, aliter philosophi tollunt astutias :
Leges quatenus manutenere res possunt, philosophi
quatenus ratione & intelligentia*, Lawes doe
shifte falsehoode in one manner, and philo-
sophers after an other: that is, Lawes in re-
spect **they** can maintaine by authoritie: and
philosophers vse reason and perswasion too
mens vnderstanding. And therefore was phi-
losophie as high in admiration, for the singu-
lar effectes it wrought in that age, as since is
incident to the notable vertue and approued
force of lawes. Wherof said Aristotle, *Notari-
patest scientia veritatis recta*: Philosophie may
be called the science & vnderstanding of the
very vndoubted truth. And in an other place
saith he. It hath seemed to many men, a thing
maruelous and full of diuinitie. In commē-
dation wherof he also wades so farre, that he
affirmed no knowledg to it is comparable:
for it cleareth & beautifyeth the mind so much,
that in this life it is delighted with al maner
perfection and righteousnesse. Of which Boe-
tius, also sayth: It fourmeth and fashioneth
the minde, it disposeth a mans, life it directeth
all his doings aright, setting him y^e sure way
out of daunger and perill, For which causes
being worthily in that veneratiō and digni-
tie

Arist me-
taph. 2.

Arist de ce-
lo & mun-
do.

Lib de Po-
mo &
morte.

Epist. 16. ad
Lucilium.

tie of olde time, the same hath authorized suf-
 ficiently the most parte of al wholesome lawes
 since, in that they are so grounded on philo-
 sophie, as they are none other, than the mouth
 and execution of the same, taryng and com-
 pelling men to doe that by paine of lawe,
 which philosophie was wonte to perswade
 by reason and for vertues sake. In this ther-
 fore is briefly shewed, to al maner regiment
 lawes are necessarie, bycause they must sup-
 plie the want of good will, that all men haue
 to vertue equally. And by consequēt, it must
 needes then followe, that to incorporate so-
 cieties and solow shippes of men, to be priui-
 leged in ciuill townes and cities, the know-
 ledge, obseruation and care of lawes is mosse
 expedient, the cause and groundes whereof
 were first to be declared, which cause is alrea-
 dy shewed. Now next to the groundes and
 diuersitie of lawes.

Of diuersitie of lawes, the lawe of nature,
 the lawe of nations, the ciuill lawe and law
 of Moses.

CHAP. 2.

C. iij.

It

The Safegarde



I bath bin manifestly declared, if Man were so wel inclined to vertue by nature stil, as in the beginning he was created, there had neded none other lawe to frame him to goodnesse, thā the same his excellent nature & native conditiō. And yet experience teacheth, in that miserable seruitude and bondage that man did cast himselfe into, there remayned neuerthelesse so good motions and reasonable instincts of nature, that good and hol some lawes might easely restore a great parte of that perfection and losse of libertye. For whoso seemeth so savage & brutish, that eyther feeleth not the gad & prick to vertue, stringing sometimes in his vnderstanding, or else is not mollified by lawefull regiment, to subiecte himselfe to rule and order, through the sparkling gleames of original integritie, lett him be stil in possession: whereof saith Aristotle: *Omnibus à natura quodammodo tributa sunt virtutes.* &c. To al men after a sort is vertue giuen of nature, euen all manner vertues that are namrd of any good manners and qualities. For naturally we are possessed of the groundis and fieldes of all kinde of vertues

as soone as we be bozne. But how these seeds
 are also choked by the growing corruption of
 natures soze, if they be not salued and releued
 by good gouernement, Cicero setteth forth in
 his Tusculan questions, where he argueth þ
 sufficiency of nature, without al disciplin, if þ
 same were rightly vnderstode and folowed,
 saying: *Paruulos nobis dedit igniculos, quos ce-*
riter malis moribus, opinionibusque depr-
atis, sic extinguimus, vt nusquam natura
umẽ appareat. &c. Nature giueth vnto vs lit-
 tle sparckes, which through euill manners and
 corrupt opinions we quench so soone, and do
 out, that the fire light of nature can not bee
 seene. For such seedes of vertue are planted in
 our vnderstanding, that if they might growe
 and ripen, very nature woulde produce and
 guide man to felicitie. But as soone as we be
 bozne into the worlde, such naughtinesse and
 rowarde opinions come vpon vs, that wee
 come almost to sucke errour and vice at our
 mothers teates. And deliuered ouer to tutors
 gouernours, we are by & by plunged in such
 diuersitie of deceyuable errors, þ truth must
 yeld to vanity, & nature giueth place to indu-
 ate & stiff opiniõs. This much Cicero. Neuer
 theles euen nature hath hir law ingrafted and
 growing

The Safegarde

What lawe
is.

Chrysippus.
Cic de leg.
2.

growing in euery man, by which he is iudged
of himselfe, and may be amended, if his owne
frowardnes would subscribe therunto. Which
law is the president, foundation, the Maxime,
rule, and most reasonable ground of al lawes
besides. Which shal moze appere, after I haue
described generally what law is, what y same
worde meaneth, & how it is appropried to that
name & defined. Wherefore it is sayde Lawe
is a constaute, inuolable and perpetuall good
thing, without whiche no house, no Citie, no
countrey, no state of mē, no natural creature,
not the worlde it selfe can consist firme & sta-
ble. The reason is, for that, It obeyeth God,
as the only and eternal lawmaker & iudge: &
al other things, as the heauē and course therof,
fire, ayre, water, law, and man, obey it. Which
is also called of Chrysippus, the knowledge of
diuine and humane matters, commaunding e-
quiste and expulsiug wrongs. Wherof Cicero
saia; it is neither inuented by the wit of mā,
neyther is it the knowledge of any people, but
a certaine eternall thing, to rule the whole
worlde, wisely commaunding or forbidding,
whatsoever may be brought in questiō. It is
also called, the greatest reason, and chiefest of
all

ed l, & could be engrafted in nature : which rea- Cic. de leg.
 ne on, so soone as it is firmly stablished in mā^{1.}
 ch kinde, & depely roted, then the name is chaun- Three
 e, ged to be called *Lex* or Law, sayth the same kinde of
 es Cicero, in his former booke of lawes. And the lawes.
 ue it in authoys declared tripartite: as it com-
 ne prehendeth y^e law of nature, the lawe of nati-
 at ons, and y^e ciuil law: called in latin, *Ius natu-*
 De ale, *Ius gentium*, & *Ius ciuile*. In which ter-
 d nes of *Ius* and *Lex*, 1. Righte and lawe (yet *Ius*.
 to ōmonly englished the one for other generally
 e, rmed law) is made a certaine difference, to
 a, xplane the thing: for *Ius* seemeth to haue the
 D, ame of *Iubeo*, to commaunde or byd, being
 e, dede none other, than the charge of nature,
 f, or generally of al natiōs, or else the custome of
 b, ome certaine and peculiar people. And *Lex*, *Lex*.
 f, s so called à *Ligando*, to binde: as much as to
 e, ay, when cōmon cōsent hath agreed, to force
 o, nd compel men to stand to natures decrees,
 b, he same are then to be denominate binding
 e, lawes. By which comparison is made the se-
 e, ond difference, in Aristotle, applying to *Ius*,
 o, he prescriptiō of al vnwritten lawes, conclu-
 s, ing in *Lex*, the certaintie of al that in tables
 f, or bookes are set downe in writing, where,
 l, disputing of customarie righte, and lawfull
 iustice

The Safegarde.

Aris. 8. 3.

justice by lawes, he sayth, *Ea utilitas, qua lege introducta est, certa obligatione constat*: that utilitie and profit, whiche is permitted by assurance of lettred lawes is by good bandes assured. Such printed lawes were those of Moses, that in 7 stony tables were engraved, being yet none other than the same very lawe of nature published in writing, that so many hundred yeeres before was able to overcome the world of offence, by testimony of themselves, whiles yet they seemed lawles, only bycause they wanted the same in writing til Moses time. And now as touching the sayd lawes, they are thus defined. first of 7 lawe of nature saith Aristotle, It is such a law, as the vertue and force thereof, is all one and the same every where, not proceeding of man, but of nature hir self. Or rather we may say on this wise: the lawe of nature is the very notice of gods law, imprinted in the nature of man by god, by which he understandeth there is one God creator & gouernor of al things, iust & good, rewarding the godly and punishing the wicked, to whom man must render all obedience, by which he also knoweth, that among men is a common societie and due tie to be kepte, the parentes to be honored, to loue and helpe every

The lawe
of nature.

Arist. eth. 3.

every man, & to hurte none, according to that
Maxime of the same law, saying : *Quod tibi
 fieri non vis, alteri ne feceris*: That which thou
 wouldest not suffer thy selfe, do not to ano-
 ther. That is briefly the summe of the lawe of
 nature, as it pertaineth to man in particular
 speche, not so equally as it concerneth al other
 living creatures besides, as in the naturall
 qualities and properties of eche kinde experi-
 ence teacheth. About whiche circumstances,
 I will not be tedious, for that al men can ea-
 sily discern what nature willeth: besides that,
 all lawes else explaine the same, out whereof
 as y^e fountaine of al, they procede & are deriued.

The second, y^e is, the law of natiōs, cannot o-
 therwise be described, than the law, the custo-
 mes, manners and prescriptions, whiche are
 in like condition vniuersall and common to
 all people of the worlde and none excepted.
 For the same is confounded with nature, in
 such sorte, as they can yeelde no reason thereof
 more than the motions and instinctes of na-
 ture, growen to be irreuocable obseruations
 of antiquitie. By meanes whereof, corruption
 of nature, during the times of ignorance,
 brought corrupt lawes amongst al nations,
 till certaine ciuill lawes could abridge those
 customes,

The lawe
 of nations.

The Safegarde

The civil
lawe.

customs, so that al that while, nothing coul
seeme vnlawfull, that carped the shewe of na
turall causes, eyther sounde, or else corrupte
of which kinde, were many notable decre
emparled in the iudgements of the nations:
for example: To resist violence was laweful
To breake promise with one vniust of pro
mise, was tollerable: To deceiue the discei
full was no disceite: To beguile the craft
was commendable craft: One harme might
be done for another: As every one deserue
was his iust rewarde: He was not wronged
that would suffer wrong: one vnwares de
ceiued, was without remedy: Every man
sed his conscience, to the best aduantage:
manne might hinder his neighbour to pro
fite himselfe: In daunger every man for him
selfe, and such like. In so much that during
those darkesome times of ignorance, whil
they were onely led by nature to construe
by common course, that vniuersally was v
fewe things were not lawfull that were of
goodnesse of nature abhorred, and so con
mued of long time among the ciuil lawes
the heathen, as also the most endure to thi
day, wher gods law is vknown. The third
is the ciuil lawe, is called every priuate law
deuised and bled by one certaine and peculia
people

our people, differing from the lawe of nations
 (saith Aristotle) in that estates, the diuersity
 of time and place altereth the condition of co-
 mmon weales: but y^e vniuersal law of al is neuer
 chaūged: agreing, saith Cicero, in that y^e what-
 soeuer is general to al natiōs, belongeth also to
 euery speciall cōmunaltie of people, though
 contrariwise many customes and lawes are
 vsed in one citie and other more, in diuerse cō-
 mon weales & many, & yet are not common
 to al people else. These are briefly described the
 partes of that vniuersal name of lawe. And to
 conclude, all thzee, the lawe of nature, the law
 of nations, and ciuil lawe, are so lincked to-
 gether, as societies and common weales, must
 participate them all as they are also gi-
 uen by degrees. For generally hath natur first
 associat all men vnder hir obedience, and then
 of that vniuersall societie all nations were
 multiplied, & last of al eache priuate corpora-
 tion is priuiledged of both, before any ciuil la-
 wes are made. For nature, saith Cicero, is the
 fountaine of lawe, and all ciuil lawes be de-
 rived from nature. But to speak most proper-
 ly, those lawes, that in Aristotles diuision
 are called *ius legitimū*, whiche were maye
 lawe, earne statute lawes, or actes of parliamēt,
 were

Eth. 5.

Offic. 3.

The Safegarde

Ius legiti-
mus.

Incest
made law-
ful.

Theft
Adultery
lawfull.

Theodorus

were in deede most vsually named lawes,
none else, when all other were named onely
customes, vses, and p̄scriptions, whiche had
the name *legitimus*, lawfull or lawfully enac-
ted, bycause it then was of force and authori-
tie, when common consent had subscribed ther-
vnto, and not before, whiche else auayled no-
thing of it selfe, to abridge any one his liber-
ty & freedome. Of which kind also, were ma-
ny & innumerable almost in euery nation, so
long as Moses law was vnknewe, euery peo-
ple vsing it, not only tollerable, but also law-
full, to whatsoeuer their corruptible nature
was inclined. In so much y^e lastly most dā-
nable & wicked enormities agens^t nature wa-
established for filthy lucre & licentious pleasure
to take credite by their lawes. As among the
Athenians most shameful incest was lawfull
so that the brother by their owne lawe might
marry his owne sister: amongst most of y^e Pay-
nims, one man might haue many wiues,
be diuorced as often as he list: among the E-
gyptians and Lacedemōs theft was lawfull
adulterie, sacriledge & most offences among
many were unpunished. So that Theodorus
was wont to say: A wise man sometime
may, steale for necessitie, & satisfie his lust with

another mans wife. because all pleasures are
 natural and therefore not dishonest. And what
 the best common lawes except that
 many soules abused to be authorized by his
 Majesty in your council, that when it is
 given to the people, it is a present. The
 which might be sold through want and
 necessity, that to break the bonds of wed-
 lock might be crimed lawfull, and all dispo-
 nences should stand with law allowing
 in stead of nature, that to please lust of flesh
 might be counted tollerable. The same
 in questions after ward granted to be law by
 statute. It was openly proclaimed in Antient
 that all aged and decrepit persons that were
 married, should be subiect: their wives to their
 hired servants, and among: and abhorre the
 matter: freely by consent. No (breeds) with
 through desires: mine. Further the same
 man should make no thought to be such a
 record in his own chamber, and that by
 lawfull means not to be reprehended. Both
 man the law, and brother houses were also
 uncleanness. When a man doth say
 thinks you wholesome and reasonable and
 if they were not as the other of religion
 or rather superstition also. For though the
 credit

Uncleanness
 against na-
 ture lawfull.

A lawe to
 make cuc-
 kolds.

A heathen
 superstition.

The Safegarde

credit of the same lawes, sauing that the same
Religion was as naturally corrupt, as the
lawes were ungodly deuised. For it was
incapable that made them religious, neyther
honored they the very and true God indeede
but as they were touched with infirmitie
and moued to thinke there was some stry-
lent nature aboue the rest, so they imagined it
necessary, such worshipps and veneration, as
they ignorance lyked, as sayde the Poete
Forum in orbe deos fecit timor, Feare was
that through the world, Goddes first of all di-
gityals: For none is so savage and senselesse
that in extreame daunger seeketh not to helpe
of God, howbeit blinded with superstition
they seeke not aright, but fall to extreame and
miraculous, as euery one thinketh besthes in
ventions shall be allowed, making them
many gods of many formes and tallies
and others tallies. Suche were Moloch
Baal-Peor Nabuch image, the grout of
Goth. Suche were the images of mo-
nich, King and Gyants eternized and
by the diuers appellations of God, the
others can be: as Jupiter in homes of temple
Markus were made to releue pouerish: V-
nus Cybele Antonnelle and Aethly pleant
Bacchu

Bacchus for bowling, quaffing and drunken-
 nesse, and such like: whiche grew to such
 madnesse at last, that every God had a super-
 stitious and solemne sabboth, in whiche to do
 most abomination, was highest holynesse: to
 ravish and constipate yong virgines, to bee
 taken for the best game, and to sacrifice their
 owne blood. They asked counsell of the De-
 mons by oracles: and among Devils y Prince
 of all Devils, Sathan, was honored by the
 names of Pluto, Ditis and Neptune. Every
 people had their ceremonies of impietie, pro-
 ceeding from the inventions of one or other:
 from Mercury and King Menna in Egypte:
 Melissus foster father of Iupiter in Crete:
 and Orpheus and Cadmus among the Gretians:
 Janus and Faunus among the Latines; Numa
 Pompilius among the Romanes: howbeit
 notwithstanding their Religion, they were
 yet irreligious: and albeit they had such plen-
 tie of Gods, they were nevertheless altogether
 godlesse, because they religion was supersti-
 tion, and their putative goddes, inventions
 of ungodlynnesse. I have noted thus muche
 as briefly as I coulde of their Paynime diu-
 initie, for none other cause, but to shewe, that
 as all Christians and godly gouvernours

The Safegarde

Heathen
lawes privi-
leged of fay-
ned Gods.

and magistrates, build the substance of the
lawes and regiment on sincere & true pietie
to these faithlesse generations, in that godlesse
time of infidelitie, yet studied to incorporate
all that they inuented, with the credite of some
kynde of holynesse: in as much as the heathen
lawmakers supposed the authoritie of their
imaginacions and constitutions, under the
privilege and decre of suche fayned goddes
as their godlesse inventions coulde deuise
for so Osyris made Mercury Author of the
Egyptian lawes: Zoroastres for Ormus
for the Bactrians and Persians: Charumunda
appoynted Saturne to the Carthaginians: Solon
chose Minerua for Athens: Zamolxis plac-
ed Vesta with the Scythians: Minos nam'd
Iupiter in Crete: Licurgus authorized Apollo
with the Lacedemons: and Numa Pompilius
honored the Nimphe Aegeria among the
Romans. These were (no doubt) such wise
politic, as the wisdome of their depraved na-
ture coulde intende naturally, to truss their
common weales with lawes. But to o-
uerpasse these endlesse and fruitlesse disputa-
tions of the Ethenick obseruation of the
three kyndes of law breefly proponed, I now

Moses law, most specially the common weale of Israel

an

and regiments of the Jewish nation, to be
 that most substantiall argument of good go-
 vernance, that alone may be the presidente of
 all people. For as the Jewes being sequestred
 from all nations, were the most auncient peo-
 ple of the world, of whome and none else is
 any thing notable or almost once remembred
 during the first monarchie of the Chaldes and
 Babylonians, aboue. 3400. yeeres after the
 beginning: so the Jewes law published by
 Moses, from the eternall and true God, their
 most sacred and holy lawmaker, in it selfe
 serueth most constant credite, to be learned
 and obeyed of all people, as the most pure
 and righteous lawe, the onely originall
 of all good lawes, and firste of all written and
 compilate of recorde, before any lawe of
 nations. For where God had first planted
 in man the lawe of nature most perfite and
 best, and by Adams fall the same was defa-
 ced, and of his posteritie so much corrupted,
 that mans obliuion was some way to be cor-
 rected and reuiued: God by Moses proclay-
 med in the wilderness to Israell that was
 escaped the iniquitie of nations, that they
 shoulde prepare them selues to a newe bea-
 ring, to receyue the lawe written, that could
 reduce

Natures
 lawe reuiued.

The Safegarde

reduce them againe to natures lawes, from which they had declined. So that after 2000. and almost 300. yeres, the lawes of Moses were published on Synai, taxed with peines and greuous charges, to quicken and rescue the auntient freedom of nature agayne. For all that were of Moes kinrede, shortly after the Patriarches were dead, fell wickedly to lyke vngrationnesse as befoze the flood. And then God chose out of all a fewe, by the name of Israell, to be nominated his chosen people, to be his and no Kings else, to inhabite an holy land, and to begin a common weale.

Mozall lawes

Ceremonies.

Judiciall
lawes.

In accomplishing whereof, besydes the morall lawes of tenne commaundements, and the ceremonial rites enioyned to the Levites, Moses did promulgate many other popular and iudiciall statutes of naturall policies. For to execute the same, he ordeyned officers and magistrates to heare and determine causes, after the best intent of their positive lawes, whiche in the most perfitt manner that naturall equitie coulde imagine, were set forth to abide in stable constance, and subiect to no manner chaunge or transmutation, by whiche every trespasse had suche temporall punishmente as the nature of suche offence most

most reasonably deserved. For wilfull murder was punished by death: if it were not pretended and by assault made, it was punished with a sanctuary. To steale away a man to make him a bondman and villaine: the master murdering his seruant by unmeasurable correction: Idolatrie, witchcraft, buggerie, adulterie, incest, rape, coniurers, soothsayers and blasphemers, all deserved death. If any woman with childe by any wilfull person was misadventured, the partie offending was fared life for life, member for member. If any madde beast, of known madnesse killed a man, the owner was guiltie of the death. Generally the trespasses of all manner qualities were by lawes amendable, and by paynes to be reformed. If any mannes beast perished in the vnknown danger of an others ground, hee payed for it. If two beastes fighting one killed the other, the losse was equally deuided, and where the most fault appeared, the offence was more greuouslye adiudged. If any manne were damaged by his neyghbours Cattell, or by negligence of any fyre and such lyke, hee was to haue satisfaction. For all manner theste was

wilfull murder.

Manslaughter.

Stealing men away.

Violence on seruantes.

Idolatrie.

Trespasses.

from the first

190

191

192

193

194

195

196

197

198

199

200

The obiecti-
on of some,
for the muta-
bilitie of Mo-
ses lawes.

constitution made, and severall amercement
made. Many that borrowed or byred the bene-
fit of his neighbour to serve his turne, and
his lawe were endangered, he was to make
friends by most reasonable autes and promi-
sions. Many lawes were commended
gainst oppression, extortion, bybette, false
witness bearing, and such like. And
they consented in all, with that reasonable
law of nature, willing every man to do, as
he would be done by. To conclude, God
further promised, that the observation of these
lawes should make their common weale to
prosper in a land; that the lewde life of nati-
ons deserved to be expelled out. Thus much
I have recited of Moses lawes, and although
get herein, than that of nations, to lay the
there, howe godly princes have grounded
all godly lawes hereon, to make Israel the
president of all common weales and go-
vernemente. In whiche I answered brief-
ly, that some perhappes may object against
the wholesome constitutions of many prin-
ces, whose lawes may seeme to be disanulled,
because they impugne some wayes the iudi-
ciall lawes of Moses, as though the same were
absolutely to be transferred to all people,
without

without change or new addition: but so hath
not God commaunded: for they were to con-
serue peace among that people, & to reclaime
them to righteousnes of nature, without any
figurative comparison with the state of chri-
tianitie: neyther were they to bee abrogate
and repelled as the ceremonial lawes, nor yet
to binde, but that euery people may vse the
with godly discretion, and yet change all
that is to be changed for preservation of chri-
sten policies. For as tymes and people are
changed, so they minister occasions eftsonts
of change, in ciuill causes. But now to other
spectall nations, howe lawes and kingdomes
began among them, & of certen peculiar kinds
of regiment in the same.

CHAP. 3.

Of diuers nations, beginning of kingdomes:
Cities and common weales: and sundrye
kindes of regiment.

In the last chapter is shewed of the lawe
of nature, of the lawes of nations, & the
ciuill lawe, howe they are defined. The tyll
was naturally engrafted fro the beginning:

D. b.

the

The Safegarde

All people
are one.

the second tooke name of man, & being founded on nature, is common to all men: The third to some certain people only is appropriated & peculiar. To y^e first, may none disclaime, or pleade ignorance: as touchyng the other, nowe followeth to shewe the beginning of all Nations, and the distincte being of certaine people. For during that first age of Adams posteritie, to the great deluge, by space almost of. 1700. yeares, all people were one, of one countrey and one language, dwelling fyrste in Tentes, afterwarde buylding houses, and beginning Cities: deuising also sundrye craftes and occupations, to manure and occupie the common weale, as wee reade of Cayn and his offspring in many generations. And so likewise after the floud, the people continued one, till the great confusion of Babell, where Nimrod fyrste beganne his soueraigne rule and dominion to be Emperour of al the people. At whiche tyme God deuised theyr speeches, that one coulde not vnderstande an others tong through disagreeing of their language. By whiche occasion, of one people were made manie, by meanes that the posterities of Noes sonnes wer dispersed into sundrye coastes and Regions: For when one

could

could not vnderstande an others language. **Beginning**
 it came to passe, that every man departed in- **of nations.**
 to strange places, naming the countreys that
 they did inhabite, and the Cities of their new
 buildyng, after their owne names. Of Sem
 came the Syrians, Assyrians, Chaldees, and
 Persians. Of Cham, the Chananites, Aegy-
 tians, Moores, and Arabians. Of Iaphet, all
 that dwell Westwarde and Northwarde,
 Greekes, Latines, and others. So that howe
 soeuer they liued at firste, lyke wyld beasts
 in caues and wyldernesse, feeding on
 rootes and herbes: after they once felt the co-
 moditie of close dwelling by making cota-
 ges of boughs and trees, and digging caues
 in the mountains, experiēce at last made them
 so skilful in building, y^e most artificially they
 set vp houses of habitatiō and necessary dwel-
 ling. By whiche means somewhat reclaimed
 of their vplādish behauio^r, they begā to gather **Of king-**
 substance & goodes to relieue & profit thē & their **domes.**
 families. And by exāpte of Nimrod, they were
 cōtēt every where to subiect thēselues to kings
 & princes, & so waxed ciuil at last: perceyuing
 also y^e mighty & strōg mē did practise inuasiōs **Of cities.**
 to rob & spoyle thē, being also diuersly annoyed
 by sauage & rurall beasts, they vsed societies,
 and

The Safegarde

and enfranchised themselves to familiar being, without one circuite and compasse, more safelie fenced & walled about for best defence, which they named townes and Cities: of such kingdomes were many, as many as were nations of people, from the great confusion of Babel, more and more encreasing: of such Cities, were many in every kingdom, as welth and abundance of the countrey multiplied, as vrgent necessitie & desired hope of safetie required: only the people of Iewes of long time had no King, but were gouerned by Judges and Commissioners specially elected to minister iustice and preserve peace, bicause God had chosen them out of all nations, to be his people, and he to be their God, til their madnes required by example of the nations about, to haue a King as the nations had: wherewith God being displeased (not for that the authoritie of Kings was unlawfull, but to reprove their infidelitie and distrust in his louing goodnes) he appointed Saul to be their King, as it was desired. And then were all people ruled by Kings, and one King of all, was the monarch of all the world, as the empire first began in Babilon and Asiria, next to the Persians, then to the Greekes, and last of all

**Iewes a
kingdome.**

**One empire
of all the
world.**

all to the Romans, it was translated. Also
under euery King, the Cities were diuers
wise franchised with priuileges and immuni-
ties of many kindes. So that hereby appereth
how first euery realme and then euery Citie,
had peculiat regiments and also their proper
lawes, all agreeing first on the law of nature
and common lawes of all nations, and secon-
darilie vsing the lawes of one an other, amen-
ding what was thought amysse, and inuen-
ting new, as occasion serued. But as touching
regiment more especially, as the people then
began to know ciuilitie & embrace freedom:
to shortly after, the many defaults in Princes
and Magistrates, caused oftentimes many inu-
rations and chaunges in the common weale.
For ambition, auarice and crueltie, made ma-
ny to practise extortion, oppression and tiran-
nie over the common people. So that many
were weary and refused all maner regiment
and subiection: and among the learned were
stirred great contentions & quarrelling, dis-
pensations of y^e best state & condition of y^e co-
mō weale: of which were sundry kindes pro-
posed in their scholes, and by many arguments
contentiously disputed. As chiefly out of Plato
may be noted, Monarchia, aristocrasia & De-
mocratia,

Priviledged
places.

Three kinds
of regiment.

Monarchia.

The Safegarde

Monarchia.

democratia, that so many resolved of. Monarchia is y^e state of empire and rule where one onely ruleth as most loyal prince and gouernour and no more. Of which many reasons were made, and those most chiefly on nature founded, that as God is one, who ruleth al, & all obey him: as God hath created one cheefest light, y^e sunne to be maister of the day, & the moone at night, whose brightnesse doth shadow the rest of all the starres: As in brute beasts one is principal of al: as among the little Bees, one leadeth the whole swarme, on whom y^e residue do attend, at y^e outgoing & coming in, not presuming once to dare stray, if they be not chased from their king: as in great beastes domellike or tame & wilde, one leadeth y^e way, one guideth al the flock, one is betwether & herdmā to the rest: As among y^e Cranes, one flyeth before, & one watcheth in danger for al y^e cōpany: so it is expedient, y^e man shoulde bee conformed to nature also, that one bee chosen prince & ruler ouer al, and most especially, since (as Homere sayeth) it is dangerous where y^e authoritie of many is intermedled without any principall and chief. The second, that is Aristocratia, the soueraine rule, not of one, but many, and that of the best sort and condition, as we may say,

Hom. in
12pl. 2.

Aristocratia.

of

of the peeres and nobles, is thought to be most
 necessarie of al such, as imagine nothing well
 done, that cometh vnder name of one, bicause
 say they, many wits will easily find þ, wher-
 in one may be deceiued: & in no one man are
 all good qualities, though among many not
 one perhaps is lacking. In the. iij. that is De-
 mocratia, or popular regiment, where neither
 prince alone, nor nobles only shal rule, but þ
 comon people strike the stroke together, some
 reason is made, that all men will be one for
 other in comon, when none is to bee charged
 or preferred aboue þ rest, attuning also to the
 comon prouerbe, Vox populi, vox Dei: that
 which al agree vpon, is no doubt þ speeche of
 God: but contrary to that of an other, Vulgus
 est bestia multorum capitum, The bulgar sort is a
 beast with many heads. The last was vsed a-
 mong the Hebrewes & Atheniens, as Plinie did
 attribute the inuention thereof to Athens, albeit
 they had also kinges sometime, as of Cecrops
 in Moses time: the seconde was the policie of
 Rome, deuised of the Thebanes. But of the
 firste writeth Iustine: Every Citie and Na-
 tion hadde at the begynnyng a King for
 their chiefe ruler and gouernour, which at-
 tained to that dignitie by no ambition or
 fauour,

Democratia.

Polyd. inuen.
 lib. 2.

Iust. lib. 1.

The Safegarde

fauour, but by a singular wit and sober mo-
 destie, and raigned with such lawfull loyaltie,
 that he seemed only in title a King, in deede
 subiect. But as Nimus King of Asirians, and
 after him many els, began to blythe through
 ambition and tyrannie, so long as their will
 was lawe, and themselves were lawles: it
 troubled the people, that they were weary of
 Kings, and tooke countell of other forme of
 regiment. But to omit the bathe question
 hereof, it is most reasonable of all concluded,
 for many politike and godly causes, that no
 State is to be compared to the royall scepter of
 a King, garded with good & holisome lawes,
 to chere y^e stathe of such, as perhappes blind-
 ed with affection, might swaue from iustice.
 Sometimes, if lawes serued not. The famous
 Citie of Rome, that for ciuill politicks, was of
 all the world most renowned, made proue of
 all degrees. For in y^e beginning it had kings,
 as Romulus the first of all built the citie, and
 raigned thre, and L. more after him for space
 of 244 yeares. About which time Tarquinius
 being banished, for the notable crime & rape
 of Lucrecia committed by his sonne, the name
 of Kinge neuer no longer, but was transla-
 ted to that second manner of regiment of
 nobles

Monarchie
 chiefest & best

alteration of
 government
 in Rome.

Kings.

noble & ancient cities of Rome. For the whole jurisdiction was in the senators or Aldermen, which were an hundred in number, who also made two yearly Consuls, so called of consultation & provision they made for common weale. To whom also was afterwards joined, in certain cases, an officer of more dignity for the time. And he was the Dictator, a magistrate of honour not of course, as one might say a Lord great master, whose office was so high, & continued by the law, but for monethes, and was much respected, but in most weighty cases to decree betweene both Consules, for they were of equall authority during whose time all magistrates forsooke their Tribunes Rights gave up their charge. But in meane while, by the daily seditions, private mutinies and conspiracies of the common sort, began that disordered and brutish government of Democracia, by the vulgar people and base commons. For when the common people intermarried with the noble blood, ambition stirred them to desire after honour, and the tribunes or promoters of the people, at their earnest suite, caused the higher promotions to be permitted to inferiour persons, by which occasion all was almost on upre, & antipathie

The Safegarde

Sylla.

tie began to be defaced and adnulled to all licentious libertie of the meanest sorte : buttill Sylla being chosen Dictator, and at his due tyme refusing to yelde up his office again, vsurping the same perpetuall for .120. yeres, and neuer willing to resigne till he laye sicke on his death bed. The Monarchie was by him renewed againe, and afterwarde likewise con-

Iul. Caesar. tinued by Iulius Caesar to his liues ende. The state of Rome was reduced to that principallitie for euer since that Romulus did begin, of which Iulius the Emperors took the name of Caesars, to this day. As for that most pernicious state of Democracia, of equall authoritie in al degrees of persons, may the city of Athens be a liuely witnesse, which at the first being ruled thereby, til they felt the torment of the thirte tyants, and afterward being conquered of Philip, and holden hard in subiecti-

The regiment of Athens.

by Alexander and Antipater, neuertheles were yet restored to that terrible bondage at last againe. And then, as beie well they might be termed the monstrous beast of many heades, they did all things so headily, without counsell, good aduise, or reasonable discretion, in theyr furious outrage and follies, that most wrongfully they did to deathe, and by most

grei

griuous tormentes, manye moſte innocent
persons, high Clerks and noble Counſelloys,
as Socrates, Solon, Ariſtides, Phocion, rare
myſtrours of good counsell, and other moſte
woorthye and peereleſſe Senatours, by inuen-
tion of falſe ſurnyſes and hatefull charges of
contruthes, to condemne their good deſerues to
the laſte decaye of Common weale. And
this was euer the ende of lyke regiment in o-
ther cities: yea, that rule of the honorable and
auncient nobles, without a certayne and vn-
doubted Prince, deſeructh no greater comen-
dation but diſpraye. For what perillous
commotions, and byproes vexed the Citie
of Rome, as long as the onely Counſell of
Aldermenne governed, as in Venice at thys
daye? The manye alterations and ſodayne
chaunges, the ambitious aſſectyng of offi-
ces and authoritie, the vnbziold youth of Cae-
ſarine and his complices, the moſt peſtilent ci-
uile warres of Marius and Sylla, and of Cae-
ſar and Pompeye, to the greate effuſyon of
much bloud, and bitter exterminion of many
noble families of Romans, moſt lamentably
was proued in many bloudy bataills. Again,
what miſcheuous danger did enſue the ſuf-
france & tolerating of y rude comons to ouer-

C. ij.

rule

The Safegarde

Pompey.

rule the wise magistrates, by intruding themselves among, as at sundry times many made thral, so Pompey chiefly felt, for coudiscending and subscribing his counsell thereunto. For where, in Rome, the tribunes were to intercede betwene the Senate and people, in all lawes to bee enacted, without whose generall consent, if but one tribune denyed his voyce, nothing passed: and for certain mischiefs that grew thereof, the same authority by Sylla was abrogate and quelled, chiefely for that the tribunes practised commonly to incense and infesse the commons agaynst the nobles, by the only study of quarrelling alterations to make doubtes and embiguities, and to crosse and gaine saie all good councelles, in all that they mighte, as commonlie vilest persons labour to procure and doe: Pompey at last to win fauour of the people, and to gaine name among them, restored the liberties of tribune againe, to his utter vndoing & confusion. For through their wonted practise & tomeritie, were the mortal warres of Cæsar and Pompey proclaimed, to the last destruction of valiant & wise Pompey. This haue I shewed to proue that lawfull principallitie of

heade and gouernour, is most of all agreeing
to the safetie of the common weale. But that
other points of lawes, and necessarie preserua-
tion of statutes, to garde the same with equi-
tie & iustice, against licentious rule, as I sayd
also, must be vsed. For if Princes rule not by
lawes, but at libertie, if they bee not theselues
subiecte to lawes, but altogether lawlesse, if
willfull will should stand for unwritten law:
then might authoritie be doubted lawfull, all
gouernment would bee vncertain, and iustice
should bee wrested to maintaine wrong in
steade of right and equitie. Of which said Ti-
tus Livius in his histories of Rome: The rule
and plaine construction of positive lawes, is
of more validitie & might to enforce the peo-
ple, than all the power of strong & politike mē.
And Antigonus the king, to a flattering coun-
seller that would attribute to princes two di-
stinct powers, one ordinarie, & other absolute:
the first to execute lawes, the second to make
lawe of lust, answered trulie, saying: A King
hath not the rule of lawe, but is the only mi-
nister and nothing els: meaning & no Prince
might otherwise presume to gouerne, but as
the lawes of the countrey should direct his
office and function. As touching which ne-

A King
must rule
by lawe.

Liv. dec. 1
lib. 2.

Antigonus

The safegarde

12. tables
in Rome.

Appius.

The dan-
ger of ces-
sing the
lawes.

cessitie of lawes, wee neede to remember no
more than what is wrytten of the greuous
oppressions and wrong doings in Rome for
300. yeares space after the citie was builded,
till the lawes of twelue tables were set oute
of Greece, and that thorough false iudge-
mentes and corrupt subornations, by reason
that they had no wrytten lawe, and knewe but
derstode what Lawe or Justice was. Ne-
uerthelesse it can not bee denyed but lawes
oftentymes are wrested, more to mainteyne
wrong, than if no lawes were at all, as that
foule abuse of Appius, one of the Decemviri
in Rome, challengyng the bondage of
Virginus daughter, to the intente to rauish
the young mayden, well declared. And yet
Lawes therefore deserue not the slander,
but such as wickedly abuse them to their wil-
ked purpose and slanderous meaning.
But contrarywyse, what myserie and mis-
chiefe hath folowed, where lawes are not ac-
cordingly executed and vsed, I neede report
no more than the sequelle of that in Rome in
Sulpicius tyme, when order was taken in the
Senate, to cease the ministracion of lawe for
certain days, to pacify and quiet the outrage-
ous murmuring and grudges of the people.

for

For the oportunitie therof was fitly taken, to
 serue the bold enterprise & desperate deuises of
 cruel Sulpitius, intending in that time of trespasse,
 to establish his owne most cruel & wicked la-
 wes, in which meane time of vacation, with
 al manner tyrannie, he and his adherents com-
 mitted murder on the Consul & his son, and
 many other in the Cittie of Rome, In con-
 clusion then, that realm of common weale most
 of all shal flourish, where good lawes vnder a
 vertuous prince be duly ministered, & none else
 can endure: good lawes that honestie may be
 defended, vice and naughtinesse sharpe puni-
 shed, a vertuous prince to order all authoritie
 with righteousnes, that iudges & ministers of
 law be not merchants to buy and sell y^e same,
 but y^e qualitie of lawes be iustly executed to
 al degrees. I might remember here diuers kin-
 des of lawes of many countreies, & y^e diuers form
 of administration of lawes also, which would
 be tedious, & more pertaineth to peculiar peo-
 ple than to other strangers: Only I note the
 most laudable lawes of Rome, & somewhat of
 the most worthy lawes of our English nation,
 to begin y^e commendable corporation of cities
 withal. Which Romane lawes first began by C. iulius
 Cn. Pompeius, & beginning to be registered by C. iulius

E.iiij.

Caius

The safegarde

Laws of
Englande.

Trojan
laws.

Names Cesar, had not their troubles of wars
 and businesse upath intercepted by famine, re-
 turned by Constantinus againe, halfe perfected
 by Theodosius, and last of all fully finished by
 Justinian, who by letters and more after Christ,
 being then called the small lawes, were re-
 stituted and allowed labours of all christen-
 dom, among the sundry peculiar statutes
 and ordinances of every people. But as for
 the English lawes, I knowe no com-
 paration by what may be sayd attempt for the
 most credible antiquitie of the same, which I
 thought not so much to be asked, as the great
 equitie, reason, and reasonable grounds wher-
 of doe make the practice firme and inviolable,
 and the great benefit, goodnes, and good re-
 sult thereof, for the commendation. How-
 beit we finde, that after Troy was destroyed,
 and Brute of the stocke of Aeneas came out
 of Italy into this land, he planted the Trojan
 lawes, (that naturally he learned of his an-
 cestors) throughout his realme and domini-
 on. We reade also in histories, that in the
 great confusion that miserable happened
 in this Realme, after that the stocke of
 Brute was extinguisht, the lawes be-
 gan to faile, and by Numa were
 renewed

reuiued and amended with many good and
whole some lawes, as the time required, called
Mulmucias lawes. Unto whiche also one
Martia a Quene of this land certayne yeeres
after. of excellent knowledge and learning,
added the decrees of hir time, and were called
Martian lawes. Besydes the like wise, about
the time that Iulius Cæsar came first into Eng-
lande, King Laid is remembered to bestowe
greate wisdom and paynes for amending
the lawes of his ancestors. In so much that
our english lawes so farre preiudged to per-
fection at last, that in King Edwines time,
Anno Do. 614. there was the peace and tran-
quillitie, in so muche as hee gouerned that a
weake woman myght haue walked with hir
infant babe about this Island from sea to sea
without any damage or danger. And where
he fastened yron cuppes to the cleere welles
that did spring by the high way sides, to re-
fresh the thirstie bodyes of poore wayfaring
men, such was the loyall feare and obedience
of lawes, that none durst touch to steale them,
or to further vso than present necessitie requi-
red. Such was tranquillitie and peace in K-
thelwolphas time, about the same yeeres, by
reason of the straight lawes that he deuised, for time.

Mulmuti-
us lawes.

Martian
lawes.

The peace
in King Ed-
wines time

The peace
in Ethel-
wolphas
time.

E. v.

extirpa-

The Safegarde

Common
lawes of S.
Edwarde.

Alterations
at the con-
quest.

Pol. ang. hist
lib. 9.

extirpation of theft and robbers, that in every turning or crosse way, he made be set by a golden bywehe throughout the Realme, and none to be so hardy by day or night to take it downe. But of all the Kings that were before the conquest, Saint Edwarde the confessor most of all deserved prayse, for his vigilat and carefull endeuours in repugning the olde and corrupt lawes of all his progenitors, of whiche he selected and picked out like a godly Prince, so many as were profitable and most needefull for his commons, to be therefore called by the name of common lawes. Of whiche how many are at this day, I leaue to the learned. For after the Normans had conquered the lande, all was chaunged, and nothyng almost suffered that was auntient, as the proverbe is then came newe Lordes, and made newe lawes, not in Englishe, but in theyr owne tongue, as a people aboue all other giuen to cavelling and double meaning, that they mighte thereby more safely wrest the lawes as pleased them to all constructions, among the Wytons that vnderstood not the Normans language. For so sayth Polidorus, where he noteth, howe the Normans confessed their newe lawes to be vniust and intolerable,

lerable, in that VVilliam Rufus and Henry
 the firſte his ſonne, and alſo Stephen, at the
 coronation, to winne the peoples fauour,
 would euer promiſe to giue them better
 lawes than their olde countrey cuſtomes
 were, and to reſtoze them agayne to Sainte
 Edwardes lawes, of whoſe antiquity, the ſame
 Polidorus alſo ſayeth, aunſwering all them
 that contende the beſt parte of our lawes to
 haue proceeded from the aunciente rulers of
 this Realme, long before the conqueſt, and
 reaſoning of the manner of tryall by twelue
 mens othes, where he ſayeth, *Inuenio quodam
 libello Aluredi. &c.* I finde in a certayne
 Booke of the lawes of king Alurede, that out
 of an hundred elected and choſen men, they
 uſed to appoynte tenne for Iuſtices, to heare
 and determine dammages and controuerſies
 as occaſion ſerued: but as for greater crimes
 of life and deathe, they were referred before
 the hygher Iudges and Elders. By whiche he
 concluded, that the manner of execution of
 lawes at this day was altered and changed
 ſince, as appeareth alſo by many prouiſions
 and circumſtaunces of our ſtatute lawes,
 reſourming, amendyng, and makyng
 newe from tyme to tyme, as neceſſitie or
 beſt

The Safegarde

The execution of goodnes of english lawes. best occasion required. But to be short, howe muche so euer remaineth of those common lawes, what euer was altered, adnulled or augmented of the aunciente customes of our

The making of lawes.

countrie, it is most playne and euident in these dayes, no nation or people of the world enioy the lyke priuilege of peace and quietnesse, and all manner sastle by their popular lawes, as this noble Island from time to time is possessed of by lawfull regiment of noble princes, by prouision of sundry lawes and statutes. For enacting whercof, what moze lawfull or landable order could be wished, than the triple regiment afoze spoken of, that is the free consent and agreement of all thzee, the prince of all, the nobles and vniuersall commons, in common parliament and counceyl togyther assembled? For iust execution whercof, what moze tender care can be vled, than to commit the charge of iustice to the honorable, to the best learmed and expert, to such as are of good name and approued honestie? who cannot be assured certainly of iustice and right, when both prince and magistrate haue giuen theyr sayth and ppointe godly and truly, to defend, vld and execute the same? so that briefly not the least respasse, or misdoemeanor, in any

The execution of lawes.

Degree

degree is tollerable, not the simplest person of
all is barred of righte, but that wholesome
lawes shall correct all offenders, and every
man shall receyue iustice, without respect or
partialitie. By force of which most reasonable
lawes and lawfull gouernemente, the people
being vested with more humanitie and ciuill
behaviour, the other of elder time haue at last
offred themselves to bondes of lawe and
straight customes, to be ruled willingly with
private lawes, besides the generall charge,
that vniuersally they stande obstrid vnto,
whereby they haue obtayned to be enfranchi-
sed and privileged, with diuers immunities
and freedoms in cities and townes, to be bo-
dies politicke and incorporate of themselves,
to all manner godly exercise, whiche if wee
shall yet compare with that of elder time, The trou-
bles of old
time for
want of
lawes.
who doubteth, but moste wholesome lawes
haue reformed our age about others, to com-
mendable tranquillitie and vertuous maners?
which in those unhappy times past I see not
how their lewdnesse could haue bin redressed,
so long, as outrageous crueltie and beastly
madnesse of infidelitie vexed the whole
Realme, and also made open dangers to the
perillous inuasions of strange enemies. For
when

The Safegarde

Civil dif-
fentions.

De bello
gall. lib. 5.

Tribute of
the Ro-
manes.

Inuasi-
ons of the
Scottes.

Oppressi-
on of Sax-
ons.

whē Brutus stocke, enduring not aboue. 600. yeeres, through mortall hatred of two brethren Ferrex and Porrex, to utter extermination of them both, one slayne in battell, the other murthered of his mother, was extinct, most miserably denuded, for lacke of one lawfull prince and gouernour, the realme was. 51. yeeres in trouble, by fyue Kings at once. In which miserable times the manners of y^e people were so odious, that Iulius Cæsar writeth, when he entred the lande: Tenne or twelue men together vsed their wiues in common, and most of all brother with brother, and father with sonne: and as another sayth, eatyng most vnnaturally the flesh of one another for their meate. Besydes whiche ciuill hate of many Kings, began then the tribute of the Romanes also to vex them exceedingly, as also the terrible and fearefull inuasions of the Pictes out of Scythia, and the Pictes and Scottes together, tormented them on euery syde, in so muche as at last they were so greatly wasted, that fayne they were to pray ayde of the Saxons, to defende theyr countrey, whiche turned agayne to theyr last confusion. For hauing overcharged theyr power with hostilitie of these Saxons, in shorte tyme

time the miserable Brytons were compelled
to leaue all vnto them, and to possesse the least
part, that was Wales, them selues. And yet
coude the Saxons neyther be at rest, but by
diuision were disquieted, so that of one Realme
was made sixe Kingdomes, and xiiij. kings
raigned together, before the gouernement
was reduced to one Monarchie agayne. And **Intrusion
of Danes.**
then began suche troubles of the Danes, still
intruding to infect the Saxons, that they
were neuer quieted, till the land was charged
with most greuous and intollerable tri-
bute, as before the Romanes had vexed them
withall. And last of all, the Normans in- **Conquest
of Nor-
mans.**
uading this Realme, conquering and subdu-
ing all partes of the countrey, so that none
possessed safetie, but all were greued with
the enemies force, and none coude bee re-
lieued with theyr countrey lawes, but all
were sacked, and became the spoyle of
straungers.

Howe coude it bee, that in all these trou-
blesome tymes, ciuillite and lawfull regi-
mente, the loue of lawes, and exercise of
iustice, or commendable policies and care
of common Weale, coude bee firmlye
grounded, and substantially concluded in
this

The Safegarde

this realme? And therefore most incomparable and worthy administration, above all times, are the iust observations of inviolable lawes at this day, and so rooted in the very nature of our english nation, that very zeale of undoubted and approved goodnesse thereof is most sufficiente to condemne the contempt of lawes, and able to abrogate the malice of all, that wilfully would intende to let

Bondage.

tranquillitie and peace on vprore. Here might I also take occasion to note the servitude and bondage of olde time; what miserie they lived in, what wretched villanies and perversities regarding, they and all sorts as the holl and common-benefit of other men, of whiche almost all Englande tasted at the conquest; as the primitive of bloud long since betraied. But I note no more of that than what experience teacheth, howe farre they were from that libertie, peace and quietnesse that they now enjoy. Whiche kinde of hopelesse miserie, howe it began and whence it proceeded, whether it crept in from the nations of Lacedemons, or else more truly of Chanaans posteritie, (the Hebrewes) I stand not to recite; but sure it is, that people lived therein, more beastly in despaire, than regarding honestie or vertue; so hopelesse of

man-

manumission and libertie, that almost they seemed
 godlesse, and of brutish condition: whose neckes Princes and noble men layde
 such greivous taxes and intollerable distresses, for the building and maintenance of theyr
 Castles and strong holdes, on which they did
 trust and depend, more than on pollicie
 lawes and lawfull government: that the
 whole welth of the land was in fewe besides
 the Prince, and all other mighte labour & tra-
 uell to furnish them that used violence and ex-
 tremes wrong. But of that which is so com-
 monly known, and by the virtue of so many
 Castles, fortified places, bulwarkes and de-
 fences almost at every myles ende set up in
 olde time to bee seen and proued, and by the
 sufficient registers of the histories and chro-
 nicles so fresh in memorie: I will not be re-
 bious. Wherefore now as I promised after
 that I haue briefly noted so much of the be-
 ginning of lawes, kingdomes, common
 weales & cities, as the same belongeth to the
 high charge of kings and supreme iudges, I
 will out bettor declare the corporation of a
 well governed Citie or towne, as they are to
 be ruled by priuate lawes and inferior ma-
 gistrates, and as they are from the rullicke
 f. and

The Safegarde

and humannered sorte sequestred and deuided,
to be a body politicke and ciuill in them-
selues.

CHAP. 4.

Of the beginning of ciuill townes incorpora-
ted vnto lawes for vertuous life and com-
mon weale.



The common
weale.

A Citie.

It was first shewed, what
maymes vertue both suffer
without redresse of lawes. So
it were not here amisse, to
begin the state of ciuill life
with a morall description of
the actes of vertuous living, saving that co-
mon weale must also bee defined, for whiche
people are gathered, the rather to incorporate
them selues with polacies. The common
weale therefore, is the riches, the goodes and
diuinerall wealth of one people: the instituti-
on that is common to all them whiche are
gouerned by one course of lawe and priuilege,
or more specially, to as many as liue together
in one towne or citie, which is defined, A mul-
titude or body politike, enuring a ciuill man-
nerly

nerly and honest life, as sayeth Cicero: where
magistrates do rule, the senate or elders give
councell, the people use their freedom of con-
sente, and iustice of lawe doeth order all de-
grees: of which sayth Aristotle, *Civitas est* Pol. 1.

*civitas quaedam, ex pluribus pagis propagata, per-
fectaque;* A citie or towne is that kynde of ci-
uill societie or fellowship, whiche of many vil-
lages (or as we may say) of diuers mens buil-
dings and fermeholdes next ioyned together,

at length is encreased and made perfect, to use
all one custome and lawe, and to be a commo-
weale in them selues. Which manner of So-
cietie, was not begun among men, but to good

ende and purpose, which good ende, all things
(sayeth the Philosopher) in their nature doe

marke vnto vs. Also it was concluded good
from y^e beginning, when it was said, It is not

good, that man shuld be alone. Which albest y^e

same general inclination of nature marketh in
all creatures by familiar being of male & fe-
male togither: yet to man it is peculiarly appro-
priate by y^e deuite qualities of speech & reason,

which Cicero counteth to be y^e firme bands of so-
cietie. For in brute beasts y^e are barred both

speech & reason, though nature hath framed the
to desire one another for generation sake: yet

the

The Safegarde

the same prinitte no longer endureth, than the tendernesse of the yong awayteth to be succored of the damme, of all whereby the charge also belongeth to the fem onely, as if the male had no care at al. But in man the same is during endlesse, with such solicitude and pining carefulnesse, that nothing can breede oblivion or securitie: both Parents are so moued with their chyldren, that vnneth their labours are neuer tedious, if it were to be busied for theyr behoofe, all while that life lasteth. Through which earnest affection it came to passe, when one house could not include many families of one stocke and kinrede, and that the blood shoulde not bee estranged in alien wildernesse, diuers houses began neighbourhood in certayne places, and many villages of dwelling stode planted all aboute, which at length polities haue brought to be townes and Cities, by uniting many families together. For when experience had once proued what benefyte such being might be against the danger of wilde beastes, and inuasions of hostilitie, and also what happynesse of friendship might growe thereout, by conference of people together: then did the most tractable sort of the same vnperfect fellowship change their wil-

Beginning
of Cities.

wildernesse of habitation at last, to dwell together in townes and cities, whiche they also walled and fenced as they were able, and danger required. And of them began a civillitie, knowledge and cunning to be practised, by conferring their inventions together, being as it were made one body of many people, and one giving advice vnto an other, and all ioyning their conference together. By whose example the rurall sort at length that lived in canes and mountaynes voyde of all humanitie, began to be reclaimed of their brutish manners, and to franchise themselves also together, to ioyne their welth and commodities in common with them of the townes and cities: so that the common weale stood then of three sortes of people in one body ioyned, that was, craftesmen, husbandmen, and launce-knights, as some authours tearme them. Of craftes men, were all occupations deuised, all marchandise and trafficke of bying and selling one commoditie for another, so long as no manner of coine was vsed. The husbandmen manured the earth, to yeeld hir encrease. The other were to defend tranquillitie, and to resist wrongs and iniuries, as the Romane Souldiers and Greekes were afterward.

f. liij.

Through

The partes
of common
weale.

Craftes men.
Husbandme.
Souldiers.

The Safegarde

Cities the
chiefest pla-
ces of the
land.

Babylon.

Thebes.

Cities fran-
chised.

Through which use of policies, nation at last began to trafficke with nation, and the abundance of one thing, euery where supplied the want of another, and the common weale flourished in ciuill behauiour, riches and honour: but especially townes and cities became the imperiall sees of all the diuision and territories in the land, still encreasing in welth and people, as the hugeness of many renowned places might declare. As of Babylon 385. furlongs about the wales of. 50. cubites high, and. 30. foute broade. As of Thebes in Egypt, most sumptuously builded with 100. great gates, most curiously wrought: and Troy that in ten yerres space could not be subdued of all Greece: Athens, Carthage, Corinth, Constantinople, Rome the Emperesse and conquerour of all the world, and many other like. Then also began the princes to make them priuiledged places, with many freedoms and franchises that the vplandish rustickes might not haue, whose exercise of humanitie and commendable gouernement, concluding all equitie, iustice and wholesome policies, was honored in many writings, to the good example of all posteritie. As that of Xenophon, so extolling the Persian lawes, that he witnesseth, their citizens fro
their

their very childhood, are learned to attempt or
 imagine nothing dishonest or unlawful. To
 which end and purpose, the lawes of all com- Lawes of
 mon weales are enacted, even to execute and Cities.
 embrace iustice and vertue, and that is firme-
 ly prescribing office and dutie to all degrees.
 Which therefore by severitie of lawe must be
 enured (as is shewed in the first Chapter) by-
 cause the good admonitions of vertue alone
 are neglected. As Aristotle, in the end of his Aristotle
 morall bookes, arguing certaine opinions, ethic. 10.
 what most of all may fashion an honest civill
 life, in that, that some of nature are thereunto
 inclined: some are framed by custome and
 good usage: and others by doctrine and pre-
 cepts, he concludeth at last of custome & vse of
 lawes in this wise: *plerique vi potius quam*
ratione: & pauci, magis quam honestate ad of-
ficium impelluntur: many are vrged to folowe
 dutie, rather by the vitermost of extremitie,
 than by any reason or counsell, and more for
 feare of punishment, than for loue of honestie:
 and therefore he consenteth with the prudente
 lawmakers, that some are to be exhorted with
 gentlenesse, and those are the good men: o-
 thers are to bee compelled with sharp punish-
 ments, and that is the wilfull sort of people,
but

The Safegarde

but not altogether of the worst. The rest that
of malice and forward contempt will not be
chastised and amended, to be utterly discom-
mended, exiled, and cut off from a common
weale. It followeth then for these causes, that
equality, and one degree of indifferencie, of
all persons alike without exception, is as in-
tolerable to a common weale, as one un-
forme government, and equality of mini-
stration of lawes, is necessarie. For how should
lawes be executed, if none will obey, or else
all would be governors without difference?
In these lawfull regimentes therefore, and
publike administration of lawes, for civilitie
sake, the whole body of every citie, common
weale and fellowship of people, is of two con-
ditions, but of one only substance, the fewest
must governe, the most of all shoulde obey,
and all to practise an undevied common
weale. The magistrates are officers to sup-
presse vice, the commons must allowe of ma-
gistrates for vertues sake: the one is the head,
the other the body: one cannot be without the
other: if they ioine in one, they supporte each
others being. The same kind of people, or bo-
dy politicke therefore resembleth a naturall
body, in that the like necessitie of partes may

most

Degrees of
people.

most aptly be compared. For if y^e members & partes of man shoulde conclude to denie the belly sustenance, as being greened therewith, what woulde become of the same, but one destruction of all together? or if the partes shoulde refuse to be nourished with that which y^e belly & inwardes digesteth, what woulde they but wither and dye into naught? so in gouernement, if the common sorte, which are the greatest parte, shoulde conspire agaynst the magistrates, or be enuious, malicious or repining agaynst the regimēt that lawes haue ordeyned, and without gouernours cannot be executed, what is more lyke, than disperagement of common weale, through enormous vices, that awaite the fall of gouernement? but before I note those severall charges of both degrees, there is somewhat that toucheth generally the case of both, that principally all must apply vnto, as in the nexte Chapter.

CHAP. 5.

Of the firste and principall proceedings in all degrees: religious pietie, and cure of common weale.

f. b.

Besides

The Safegarde

If does the necessitie of lawes to exercise obedience, and the execution thereof to magistrates belonging, are firste of all to be planted in both conditions, godly religion, and weale publike, to begin the state of all good government: of which religion, sayeth Cicero, It is a tradition that teacheth in most reuerent and comely manner, to exercise the ceremonies of diuine worship: of as others define it: A kind of godly discipline, to be vsed in outward sanctimonie, resembling as it were by signes, most holy and spiritual things, by which God is honored, and all men confesse his providence: the only motions whereof are the most speciall garde of a flourishing common weale, of whiche sayth Aristotle, *Oportet principem prae alijs deicolum videri, minus enim putat subditi à talibus pati aliquid iniquum, & minus machinantur contra talem, tanquam habeant propugnatores etiam deos*: Aboue all other shoulde a prince or magistrate shew hymself religious and godly, bycause the people will so muche the lesse feare to be euill ruled, neyther will they lightly quarrel and disobey, bycause they accompt that suche rulers by God are defended.

Religion.

Arist. pol. 4.

ded. What made the Romans to innovate
on so many Gods: the Grecians to consecrate
the Oracle at Delphos: the Romans to so-
lemnise the processions of Janus: the holy fire
to be watched of the Vestall Virgins: the Col-
ledge of Augures to be created: the office of Ae-
dilis appointed: the dignitie of Summus Pon-
tifex by Numa Pompilius instituted: and by
religious lawes set forth by Papirius so
straightly kepte, but to recognise religion,
the chiefest ornaments of a common weale?
And therefore concluded Cicero: *Pietate De natura de-
um sublata, fides & humani generis orum.*
societas, & iustitia virtutum omnium excel-
lentissima tollitur: If godly religion once goe
to wreck, all trust, all societie of mankinde,
iustice and all vertue decayeth. As muche
to say: If Magistrates bee not maintayners,
and furtherers chiefly and most of all of Chri-
tian profession, and the godly exercises of re-
ligion: and all others, tractable, zealous and
followers of the same, howe may any one be
perswaded to haue confidence in those that
gouerne to haue iustice ministered, or else one
man to lyue in quiet by an other? iustly ther-
fore was Homer excluded from common weale by
Plato for fablyng of the Goddes: as rightely
also

The Safegarde

also doeth Seneca inueighe againſte diſſemblers, and ſuche as ſhame to be counted of religion, counting it no wiſdome, not to colour their ambidextrous clokes, with bayning, facing, turning and returning, ſwearing and forſwearing: and aptly are they called of another, moſt rous Cetaures, ravening Harpies, and plagueſozes of a common weale, deuouring the laboures of other men by their ſiniſter practiſes of hatefull impietie, in no way puniſhed, how ſo euer they ſhamefully offend, bycauſe they haue on them a ſemblance and ſhewe of moſt ſincere profeſſion. The ſeconde poynthe is, countrey love, care of common weale, a miſdiſpoſed mynde to preferre the vniuerſall ſtate of all as willingly as any private cauſe or ſingular intente, which the euermore the Stoikes compared. Conſider (ſayeth Cicero,) euery thing well in thy mynde, and thou ſhalte bee of that opinion, that no ſocietie is like vnto that which euery man hath with the common weale. We are carefull and louing of our parents, our children, our friendes, but our native countrey is the vniuerſall parente of vs all, for which no good man will reſuſe to loſe his life. And in another place making compariſon betweene

Care of common weale.

Cic. I. offic.

the state of our country and due tie to our pa-
 rents, he inferreth: If the sonne knowe his fa-
 ther to compasse treason againste his coun-
 trey, he ought to entreate him to giue ouer, if
 that maye not serue, hee must reprocue him,
 and last of all, *si ad perniciem patria res spe-*
tabit, patria salutem anteponet saluti patris:
 if the daunger tend to destruction of his coun-
 trey, hee must preferre the safegarde thereof,
 before the safetie of his father. As in the
 greate plague of Syracusa, when the Oracle
 answered, that nothing could cease the same
 without vengeance were done on that abho-
 minable incest and rape lately done among
 them, Cyane the daughter of Cyanippus,
 knowing it to meane hir and hir father, which
 no creature else did knowe besides, being done
 in the darke, and appearing onely, by a ring
 that she wrested off his finger in striving there-
 to redeeme hir countrey, preferring the same
 before hir fathers life or hir owne, the silly
 girl became hir fathers Prieste, halting hym
 by the heare, to bee the living sacrifice that
 should appease the vengeance of so foule a fact,
 and then offered hir selfe also to the death,
 to haue hir countrey saued. The lyke wee
 reade of the father to his sonne M. Fulvius a
 noble

Offic 3.

Cyane.

Fulvius.

The Safegarde

Plato.

Common
weale is pri-
uate wealth.

noble Romane, that spared not his only sonne
of most exceeding wisdom and beautie, one
of Catilines conspiracie, but killed him with
his owne hands, saying: I neuer begote thee
to be on Catilines syde against thy countrey,
but to fyght for thy countrey against the trai-
tor Catiline. And therefore saith Plato: we are
not borne euery man to himselfe, for to our
countrey we are greatly indebted, that is, e-
uery man, to ioyne himselfe, by his private
commodities and trauels, to profit all other as
well as him selfe, as the Stoikes confirme, all
that is regenerate on earthe, nature loweth
to serue mans vse, and men are generated one to
serue another: who may aptly be compared
to the harness of little Bees and Crummettes
figuring the state of common weale, who la-
bour in common, and none refuseth: they ga-
ther together, and none enuieth: they lay
together, and none spoyleth: their defence is
concorde, and unitie in peace, mutuall helpe
and like labour; in time of daunger and neede.
For so shoulde privileged persons of one li-
bertie, every one vse his calling, to profit all
& to damnishe none, and y^e must be by prepo-
sing private lucre y^e may not impugne pub-
like vtilitie, since y^e vniuersal cause of y^e whole
common

common weale is y^e perticular cause of euery
private person; which communitie once decay-
ing, what goeth not to wrecke? without whi-
che provisions, what humanitie is in men, that
beaste do not shew? of which saith Cice- Offic. 3.
ro, singulorum hominū opes & facultates, di-
uitie sunt ciuitatis, The possessions of euery
man, are the riches of the whole citie. And af-
ter Diogenes, Euery publike commoditie, is
the peculiar goodes of euery singular person,
to vse as his owne in common with the rest.
As being marueled at, that he had nothing in
property, not so much as a little house to dwell
in of his own, he pointed his finger to y^e good-
ly gallerie of Iouis porticus in Athens, saying,
Euen this roial place is mine, and at my com-
mandement, meaning, it was a publike place
of pleasure, to serue y^e vse & ease of euery man.
What then loseth he y^e studieth y^e maintenāce
of a publike weale, whē himselfe in cōmon is
partaker of his studies? or who would so liue
unto himselfe, so be estranged frō al mē besides?
But what should I reuerse y^e care & studie of so
many worthy mē of y^e Roman cōmon wealth
& many others, y^e thought it greatest securitie to
adventure life & goods for y^e cōmon weale, & lu-
cre inestimable, to cōfer their substance to releue
others, but most of al to benefit y^e cōmō sort?

Such

The Safegarde

M. Curius.

Suche was M. Curius, that of all the spoiles of his great conquest in warre, hauing bestowed the moste part on others, and leauing least to himselfe, answered those that condemned his follies: My part is not so little that may serue me and my housholde, for it contenteth mee to liue, that others may liue by me.

Aristid.
Epaminund.
Agrippa.
Nummins.
Fabius.
Lisander.
Plut. in vit.
Niclas.

Suche were Aristides, Epaminundas, Agrippa, Numminius, Fabius Maximus, Lisander, and others, that dyed in great pouertie, through continuall trauaile they tooke for y^e common weale, & y^e great riches they bestowed to many publicke good vles while they liued. Such was Nicias of Athens, that made it alwayes his fable to consider of his countrey, and neuer had greater conference with his friends, than how to profite common weale. Such was the singular loue of the two noble Romans, both the Decij to their countrey, that they suffered death in the warres of the Galles and Latins.

Decii.

Curtius.

Such a one was also Curtius, the valiant gentleman that boldly & voluntarily leaped horse & man into the great gulfe in Rome, most apparant preumptorie destruction, only to doe the Citie good, as y^e oracle had spoken. Such a one was Cato, a tender youth of .16. yeres old, who would haue ventured his life on Sylla, that troubled

Cato.

the common weale, & in his reuerend age so pilled & mutation of Rome like to follow vnder Iulius Cæsar, & for sorrow he killed himselfe, choosing to dye rather a pious death, than to be of counsell in Cæsars court, when the common weale would suffer violence. Suche one was the hoste of Sylla, in that his bloody murder in Italy, refusing to be spared when all his country suffered, crying out to Sylla, and laying downe his head on the block: Solus ego, extincta patria non reliquar, Nowe that my country is destroyed, I will not liue alone. Suche one was Pompey, rendering his country more than his owne safeguard in those dangerous seas that he layed, to haue come to his country, answering the tearesfull mothers: Po aduenture necessitas contrahit, (meaning the whole country almoste lamed) to lyue no necessitie compelleth. That onelye to such men be those now a days, that not only they themselves carelesse to charge the common weale, which every good man in conscience is charged withall: but also in despight as it were of durtie and contempt of their calling, most odious and hateful to god and man, neyther touched with love of vertue, nor with all other care of laude, thankes

Hospes Italianicus.

Pompey.

70

the

The Safegarde

Verres.
Catiline.
Marius.
Sylla.
Cæsar.

Cap. 46.

are occupied and become the instrumentes of malice to inuegle others to obscure and deface the vniuersall state of all, that themselves maye bee at singularitie aboue the reste: of whome yee neede no more, but iudge what inwarde Enuye can worke by suche insatiable greedynesse and selfe lusting lucre, growyng to secrete grudges, priuie mutinies, hateful commotions, and open insurrections in all Common weales, suche as the enemies of Rome, the extortion and oppression of Verres, the conspiracie of Catiline, the ciuill warres of Marius and Sylla, the parties taking of Iulius Cæsar, and the vtter decay & impouerishment of very many states and famous Cities, by the onely worme and serpentine diuision of neglecting common weale, in many histories, can well declare. O worthy speech therefore of Marcus Aurelius to bee chronicled of all degrees, and specially of magistrates: As long as I gouerned Rome (saith he), I neuer kept man in my house, after þat I once knew him an enemye to the cōmon weale. The same is therefore last of all compared to a shippe on the Sea, which needeth the labours of all that saile, and requireth heede of euerie one, not only to scape wrecke, but also to land safelie, one

to rule the sterne, an other to tend the saile, others to worke with oares : for so must all people of one societie compare themselves together, some by counsell, some by labours and trauelles, some by might and authoritie, some by liberall helpes and subsidies, euerie one as he is called, and all together in one, not onely to preserve common weale, but also to profite and encrease the same. These two poyntes of charge, as they touch all generallie, in this wise being proposed, it foloweth perticularlie of all degrees. But before I note the charge that lawe and ciuill gouernement geueth to all degrees, shall first bee proponed, the morall life, that vertue by hir self prescribeth, whose desertes ciuill gouernement and nothing els can restore to vertuous and ciuill life.

CHAP. 6.

Of the morall charge of dutie that vertue it selfe prescribeth to all degrees, being the president of liuing that ciuill order directeth vnto.

G.ij.

The

The Safegarde

The wisdom of our elders, that were charged with the common weal, traualled not so much to prescribe civil lawes, and penall corrections, to chastise them that were offenders; as they studied by morall discipline to keepe them from doing the same offences. Of whiche sorte were Philosophers, that employed them wholly to settle men to a decent and ciuile lyfe, without inuention of lawe, only for honesties sake and loue of vertue. Among whom, Crantor an excellent Philosopher of the Akademikes, and scholar of Xenocrates, deuideth all the actes of mannes lyfe into foure partes, to be therein wholly exercised: vertue, bodyly health, honeste pleasure and lawfull lucre. For, first of all, whatsoeuer is not of vertue, becommeth not: secondly health is to vertue so annexed as the passion of mynde muste needes bynder vertue, if the bodie by sicknesse be distempred: thyrdly reasonable mynth is a good recreation, and a necessarie accident vnto health and vertue both. And fourthly, in respecce of vrgent necessities without sufficient helpes of worldly wealth to succour our beeing, all three doe perishe and lyfe despairth. Besydes that of Callimachus opinton: Diuitiæ sine virtute nunquam

Foure
pointes of
mans life.

Callima-
chus.

quam hominem efferre possunt: virtus sine diuitijs parum admodum illustrat, Riches without vertue can neuer make a man noble, and vertue without riches gaynes him little fame. As touching the firste, that is Vertue, which is a good disposition of the mynd to all honest and landable things, contrarie to vice. it teacheth all men two moste excellent properties. 1. To vse reason for the gouernoure of all his appetites, and to subdue all manner affections to the rule of reason, euen as the fierce and barbed horse is turned and managed by the bridle in the riders hande: whereof saith Quintilian, As the fowle is made to flye, the horse to runne, the Tyger and wylde beast cruel and mischeuous: so to mā is proper the exercise of the mynde in all maner vertue.

Of which foure are the cardinall and chiefest vertues in Philosophie, prudence, iustice, fortitude and temperance, called sisteres, as it wer of one birth, and of one beeing, in that, that who so lacketh one, is maymed in the reste. For Prudence without Iustice, is suttletie & craft: Iustice without Temperance, is very cruellie: Temperance without Fortitude, is starke cowardyse: Fortitude without Prudence is temerarious boldnesse and foolhardinesse.

The safegarde

dinesse. They are also called y^e principall vertues of all other, bicause there is no maner vertuous occasion, but it may bee to one of those referred: as in Cicero: all that may bee called honest, proceedeth from one of these foure, for eyther it will be a part of Prudence, which discerneth truth from falsehood, and riddeth men of vaine opinions: or it toucheth Justice, which doth wrong to none, and kepeth touch with all men: els it is a point of Fortitude, that becometh prowes and courage of minde in honeste causes: or last of all a marke of Temperance and modestie, obseruing a maner and measure both in word and deed: of which vertues saith Socrates *ad Alcibiadem: Nihil expetendum in vita humana, nisi quod cum virtute et honestate est coniunctum*: Nothing is to bee vvished for in all the life of man, but what is ioyned with vertue and honestie. And so should every man affirme to himself and acknowledge, that howsoever vice doth binde him, affections lead him, or vaine opinions flatter and deceiue him: howsoever he can colour, smothe & keepe secret his own euils frō being espied of others: howsoever good mē ignorantly mistake & allowe his doings, bicause they perceiue not his inward wickednes of hart: yet all the counsels, actes & deuises of the braine what euer they be,

Cicero offic.
I.

Prudence.

Justice.

Fortitude.

Temperance

Socrates.

are to be condemned, & proceede not of one of
these vertues. For els might Aristippus haue Aristippus.
ben wel perswaded & he did very wel, to giue
batwzie a kinde of commendation, when hee
was taken in the skewes by a yong man of the
same haunte, the better to excuse himself. And
so might the argument be seeming good be-
twixt him & Diogenes, to proue their follies
lawfull with the harlot Phrinee, Aristippus Diogenes.
alleaging, the offere was nothing, bicause she
was common to euery man before, and Dio-
genes concluding plainly, it was no shame to
him, bicause men made no more accompte of
him but to cal him dogge and one of doggish
manners. In lyke sorte was & saying of Me- Medea.
dea: *Videō meliora probō, deteriora sequor*,
I see well what is best, and so I doe allowe it,
& yet come what may, I wil folow the worst:
a meet speech to let lose all affectiōs. So was
& of & Struthio, & hauing his head hid, thinketh Struthio.
all & body safe, a pretie exāple for euery mā to
hide his faulces, if any false persuasiōs, or baine
practises, & are not of vertue, were to be coun-
ted honest. And this is the first rule of bpright
and cōmēdable living. In the second, which is
bodilie helth, is cōcluded whatsoeuer disposeth Bodilie
a mā to any holesome exercise, measurablie health,

The safegarde

Cicero de
senectute.

to be taken, beginning at that first measure,
which nature marketh out to be moderate diet
of meates and drinks: Vt vires reficiantur,
non opprimantur, sayeth Cicero, that the po-
wers of the bodie may be refreshed, and not
overcome. Accordyng to that of the Poet in
his Satyres.

Non viuas vt edas, sed edas vt viuere possis.
Live not as a glutton, still for to eate,
But eate, to mainteyne lyfe by thy meate.

Socrates.

Gluttonie

Seneca.

And the same was it, that made Socrates
allowe of no sauce but hunger, and to obserue
no times to eat, but when he was hungrie and
never else, till counting hunger and thirst the
most necessary viands for men to feede vpon,
the chiefest cates of the market, the best physike
for health, and greatest encrease of a common
weale: Which if all men woulde followe, the
Physitions would neuer complayn, that nei-
ther warres nor famine kill so manye as sur-
fetting and drunkenesse, hastening age, pro-
curing feeblenesse, and diseases without name
and without number, till the bodie rot or fall
in preces. Whereof Seneca giueth warning,
saying, Ede circa satietatē, bibe cū sobrietate,
Eate no more than inough, & vse to drinke so-
berly. For what could be more bitterly spokē

to the shame of a gluttonous riotour, thā that
of Diogenes scoffingly vsed, when hee redde Diogenes.
the yong mans bill on a poasse in the market
place, offering his house to sel, I knew very wel
(sayth he) this house was so besieged with fea-
sting and quaffing of good fellowship, that it
would soone spew the owner out. The lyke
was that wise taunt of the graue Cato vsed to Cato to
Albidius in Rome, that hauing consumed al y^e Albidius.
he had, sauing onely the house he dwelt in, in
good cheere, tauerning, reuelling, & baketting,
hauing the same house too at last consumed by
fyre, Cato termed it the offering Proterua, (a
kind of sacrifice in Rome, at which if anything
of the feast remained, y^e maner was to burn it)
as though he might say, when Albidius coulde
eat no longer, he cast the rest into the fire, mea-
ning bys iust reward for so good deserts. In
other measure vnto bodily health, is the mode. Sleepe.
rate vse of slepe and rest from labour, so much
as nature can be contented with, without the
harmes of idlenesse. For as it is verie true
that the Philosopher sayeth:

Quod caret alterna requie, durabile non est,
All that wanteth rest, now and then among,
Can not continue and endure long.

Even so immoderate rest and lagnesse of
G. v. slepe

The Safegarde

leepe, engendzeth in the bodie as many mor-
tall diseases, as all y parts hath proper names.
Wherefore sleepe is termed of Homer and Dy-
ogenes, the brother germa of death (chuse how
you will vnderstand it,) bicause it representeth
death, making the bodie all that while as it
were a dead carkasse, senselesse, or els, bicause
the immoderate vse thereof the soner bringeth
death: wherunto Aristotle somewhat apply-
ing, maketh the happiest sort of men and most
wretched, for one half of their life long to bee
all one in happinesse, bicause felicitie consisteth
not but only in vertuous and watchfull ex-
ercises, as it were concludynge thereby, that
moste men doe sleepe shamefully the one half
of all their life: most contrarie to that of So-
crates, that then and neuer els alloweth the
same, but when the bodie by exercise or stu-
die is weered and needeth naturally to rest
and be refreshed: far vnlike to that of Pitha-
goras, that thinketh five houres in xxiiij. to
bee sufficient, and seven houres together, i-
nough for the childe in the cradle: and is so
highlye condemned of Plato, that it was
of hym enacted, *Nemo dormiens, vlla re
dignus*, He which delighteth in sleepe, de-
serueth nothing, no not to liue. The thirde
measure

measure of bodellie health, is the vse of labour and lawfull exercise, to repell idleness and to fortifie the powers of nature. **Good exercises.**
Such were those of Socrates in walking on foote and wassling with others: such were the games and tryng of masteries of Olimpia and Nemea: suche are the commendable customes of running, shooting, and contending with hande and foote. In which besides the gaynes of health, it winneth many praises, as wee reade of one Ladas so light in running, that he neuer left one printe of foote, eyther in duste or sande: as also of Polymnestor, for his swiftnesse compared with anye hare: the lyke of Milo Crotomara, of suche validitie of arme and legges, by onely vsyng to carrey a calfe, (as he still grewed to be bigger and bigger) on hys shoulders for a daily exercise, that at length hee was able to carrie it a furlongs length, beyng a greate Dre. **Milo of exceeding strength.**
P. Scæuola, Dionisius and King Alexander estesones used to playe at Tenise, manye others commended foteball, throwyng the barre, swimming and suche lyke. **Scæuola, Dionisius, Alexander, Tenise players.**

The Lacedemōs trained at their youth in hunting, rüning & wassling. And y^e wise Licurgus

Lacedemōs.

gus

The Safegarde

Balcares.

Ad Demonicum.

Honest pleasure.

gus made so much as the maidens to runne, to
wastle, to practise with darts, and hurling
stones and bowles, to corroborate nature. In
the Isles of Baleares the children shall not
eate their breakfast, before they haue hit y mark
on the tree toppe with their slings every day.
Many like good exercises mighte bee deuised
nowe adapes, in steede of Tables, Cardes,
Dice. &c. If bodily health were well prou-
ided for, in steede whereof the vertues of the
minde, by greuous and bayne speeches of the
mouth are fouly defaced. In conclusion, let
the body be so exercised as Isocrates speaketh
of, that the minde also maye bee occupied, for
that is both profitable and vertuous exercise.
Accustome thy body (sayth he) to suffer la-
bours, and seeke wisdom with thy mynde,
that by the one, that is labours, thou mayest
put thy counsels in practise: by the other, that
is the good occupations of the mynde, thou
mayest take counsell, what is best to be done.
And in another place he sheweth the double
commoditie thereof arising, For it giueth
health (saith he) and also frameth the body to
endure payne, as often as it is enforced ther-
vnto. The thirde act of this diuision is of be-
nest pleasure, through which, saith Anacharsis,
the

the body is not only refreshed, but the minde also is made more apt to return to his former contemplations. By whiche is not meant the pleasures most vaine, and falsely named pleasure, that Socrates speaketh of, comparing the bondage of bodily pleasure in some maisters to be worse and more shameful than that they crie out vpon in their bondseruautes: nor the pleasure that Homere speaketh of, saying that Circes by pleasant enchantments, turned men into beastes, some into swine, some into asses, some into foxes, some into wolues: nor yet the same that Plato so describeth, engendryng foure most notorious euill properties: fyrste obliuion of all good thinges, whiche men before haue learned, and then dulnesse euer to learne the lyke agayne: thirdly a mynde embracing the worst of all opinions, and utterly made barren of all iudgement and discretion. Fourthly pride and disdain of other men that imbrace honestie: wherein both Plato and Homere may be construed of one meaning. For if by suche vnseemly pleasure as the bodie lusteth, a man doe once inglutte himselfe wyth vanitie, or walte in filthe lyke a swyne, he quickly becommeth dull lyke an Asse, in vnderstandyng of eyther learning or honestie:

and

Socrates.

Homere.

Circes pleasures.

Four qualities of vaine pleasure.

The Safegarde

and yet he waxeth subtil lyke a Foxe, in breed-
yng mischief and disorder, with a boiste-
brad, a discourtesing tongue, & a factious harte:
and lyke the ranening Wolfe, there is no end
of his greedy lust: of which kinde of pleasure,

Aristotle.

it is also, that Aristotle speaketh, willyng
men neuer to looke on it, but when it is tur-
ned from vs, and goeth away: for then it ca-
rieth grieve: and not to beholde it comming
towards vs, bicause his painted face at first lo-
shineth, as it may sone deceiue y^e wisest. How
it is accompanied with bitterness, sorrow and
repentance at the laste, well declared the king

Lysimachus

Lysimachus bitterly weeping and crying out:

O good God, for how small pleasure, haue I
made my selfe that was a King, a vile bond-

Demosthe.

man to myne enemy. Demosthenes likewise,
when he foriudged, how it might repent him,
to consent to the naughtie harlot Lais, that as-
ked ten thousande groates of siluer for one
nighers pleasure, bursteth oute into these
wordes, *Pœnitentiam tati non emam*, I wil not
buye repentance so deare, signifying therby,
that to all vn honest pleasure, repentaunce is a
pess companion alway following, which be it
neuer so shorte, the grieve is aye enduring, as
in the fable of the Poetes, pleasure and so-

row

rom stryng together before Iupiter, they
 saine Iupiter to set them at one, and to ende
 all quarrelles, knitte the one faste to the other
 with a knot of adamant, that is to saye, neuer
 to bee unknit againe. Of the pleasure then
 that the Philosophers speaketh of, must the be-
 ginning, middle and ende bee vertue, and
 nothing but vertue and a vertuous intent, t-
 uen to prepare the bodie and minde to returne
 to their former seruices of honest occupations.
 For saith Cicero arguing thereupon: wee Offic. i.
 are not begotten of nature, to passe the time
 onely in pleasure and sporte, but mooste of
 all to sobernesse, and to bee occupied in seri-
 ous and graue matters. As for anye kinde
 of mirth, (saith hee) it is to bee vsed none o-
 therwise, than sleepe and all other rest, and
 that neuer els, but when wee haue done
 with other needfull and weightie causes. The
 lyke in maner is that of Aristotle: *quo animo* Eth. 3.
senes illi erga Helenam affecti fuerunt, eodem
nos esse debemus erga voluptatem. For when
 the Troyans, sat in counsell, which were best,
 to deliuer Helene to the Gretians agayne in
 peace or no, the elders thought it mooste wis-
 dom, to restore her, as beautiful as she was: and
 therefore saith y^e Philosopher, loke what mind
 the

The Safegarde

Honest cō-
ferēce grēt
pleasure.

Alexander

Alfrede.

the elders of Troye were affected withall to
wardes Helene, so ought wee to shewe our
selues in the vaites of pleasure. In sted wher-
of, and in lieu of nicenesse, wantonnesse, and
vanities, none can better refresh the mynde,
none better becommeth all mennes vacation
from labour, eyther of bodie or mynde, none
can so singularly delight one that embraceth
wisdomme, loveth honestie, and woulde im-
rite the name of a civile man, as the profita-
ble, pleasant, familiar and vertuous con-
ference of good men gathered together to make
their communicatton of duttie, of pollicie, of
good reformation of a comon weale, by co-
paring the learned inuentions and good ex-
amples of others, and of all ages. King A-
lexander desyred none other pleasure to refresh
him, but to turne and reade the bookes of Ho-
mere alwayes in his bosome, or at his beddes
head. So did Alfrede, a king of this realme,
Anno Do. 899 not only beseech God to bryde
his proclititie to pleasure, with some continu-
all sicknesse, as it came to passe: but also being
thus grieved with many diseases to the 40.
yeare of his age, diuiding the day and night
into thre partes, eight houres for bodily rest
and naturall diet, eight more for prayers and
almes

almes-deedes, he vsed the other eight for pleasure, that was for studie and conference with the learned, for that was his pleasure, during which, he translated many goodly exercises out of Latine into English, Orosius, Pastorale Gregori, Boetius de consolatione Philosophiae, the historie of Bede, and one Booke called Encheridion, her published of his owne making. A worthy pleasure for a prince, and a president of imitation for all people: a greate rebuke to the baytie delights of many, but a more shame to the idle life of suche as are learned. I intende not hereby, that seuerall life of the Stoikes, as though all manner lyking that soundeth not of the very inwardes of vertue, were to be condemned, for that were to graffe men of stones that haue no feeling: but all honest pleasure, whereby may any wayes agree with laudable mirth, according to the capacitie of euery one, is allowable: so that avarice and slythy lucre hamper not men in gaminge, so that Decencie and decorum bee kepte, so that ouer often vse, deserue not to bee counted foule abuse. As Plato distinguished Plato. with the yong man that repined to be checked for his common dicing, counting it an ouergreate checke for so small a thing, yea may sayth

The Safegarde

Demea.

sayth Plato, the dayly vse thereof, is no small thing, my friend: like to that of Demea in Terence, saying: I passe not of the thing it selfe, but I most of all mislike the accustomed vse thereof, that is, the dayly and vnnecessarie frequenting of idle pastimes, neyther folowing necessarie labours, nor yet going befoze profitable pleasure, according to the Poets sayings of both :

Dulcia non meruit, qui non gustauit amara.
Who soeuer tasteth not, is farre vnnicete
In any wise to tast of sweete.

Agayne.

Omne tulit punctum, qui miscuit vtile dulci.
All points he hath him gote alone,
That profit and pleasure knittes in one.

wealth and
riches.

The fourth and last thing that the philosopher speaketh of, incidente to the lyfe of every man, is such lawfull and honest trade for getting and acquiring of necessarie wealth and lucre, as may be competent to all degrees, to minister to necessitie and no more. In which I omit Aristotles diuision of Iustitia distributua, and commutatiua, how money and corn began, and also the many differences that Cicero maketh, betweene the liberall and free trades, and base and vile occupations: only noting

nothing that were be saith, that nothing may be done or exercised, whiche is repugnant to honestie, though the same be profitable. And in another place affirming playnely, that it is not profitable indeede howsoeuer it seeme, except the same be likewise honest. In performance wherof, all greedinesse of excessive gaynes, distit by lying and swearing, by unlawfull cheuillance in chopping and changing, blurie without loue or charite, extortion, oppressio, robbery, banke rents, and payne customes, and such like buddes of infidelitie, are to be utterly expelled, as shamefull, hurtfull, most vile and damnable: as it is aptly spoken.

Unlawfull trades.

Damnum appellandū, cum mala fama lucrum.

All gayne that is gotten with euill name,
Is losse to be counted, and not any gayne.

For saith Aristotle, what getteth a false man Aristotle.
by his lying. many (saith he) when he speaketh most true, no man will beleue him. As for bayne and lying othes, the Aegyptians punished with death. If any man should seeme to permitte, and suffer an other manne to ouersee him selfe in buying and selling, Cato made them guiltie, to make a re- Cato.
compence: muche more doe they deserve,
H.ij. that

The Safegarde

Pindarus.

Sylla.

that practise false sleighthes to deceyue and be-
guile. Usury in elder times was most odious:
excessive gaynes was condemned, as the Po-
ets sayne of Aesculapius that experte Physiti-
on, how he was stricken with lightning from
heauen, and throwne headlong downe into
hell, bycause hee was so greate a taker for the
bipe of his practise. The Romanes cast Sylla
in the teeth, for his sodayne rising to be weal-
thy, saying, How canst thou be an honest man
with al the goodes that thou hast gotten in so
shorte time, seeing thy father left thee no-
thing: may warne the Merchants of hundred
adventures, and the caterpillers of the com-
mon weale. What cause of infamie, suspiti-
ous dealing engendreth euermore, of whose
couetous frutes, the common prouerbe sayth:

De malo quaesitis, non gaudet tertius heres:

Though ill gotten goodes continue sometyme
with father and sonne,

Yet to the thirde heire, the same may neuer come.

Is none almost doe not dayly see, all that
descend from a wicked father, seldome conti-
nue with his child many yeeres: for eyther ad-
uersitie and unhappie fortune robbeth him, or
else in vice, all is prodigally consumed, so that
nothing prospereth, till beggerie, or worse then
that

that, hath made the ende most miserable: for in the midst of all losse and gaine, this filthy auarice so infecteth, that man is thereby so greuously passioned, as being continually disquieted, he neuer hath lesse, than he hath most aboundeth. For the feuer of desire y^e nough, alwayes shaketh his appetit. First of all, little desireth muche, muche looks for more; more will haue abundance, and all that abundance bringeth, neuer filleth store, as is to be saide,

Crescit amor nummi, quātū ipsa pecunia crescit.
As hunger of money do encrease, from lesse to greater store,
Likewise encreaseth love thereof, still dayly more and more.

And therefore saith Plutarch, as a man going to the sea, and rowing from the shore in a small boate to come to the ship side, beginneth to bemoane, & wishing to be at the great vessel, supposing to finde ease therein, is sicker when he commeth there into the maine, than he was before: Eue so a poore man of lowe estate, and euery man else that is not contented with his fortune, coueteth aduancement, and to haue his goodes encreased, as it were to be at felicitie: which if he chance to obtaine, he becommes
h. liij. anone

The Safegarde

Alexander.

amonge more disquieted, and more unhappy
than ever he was. As King Alexander posses-
sing in manner the whole world, was neuer
thelesse so out of quiet, that hearing Democri-
tus discoursing of many troubles, he wept bitter-
ly, for that he had not yet conquered one of
the. Vespasian the Emperour on a time, hea-
ring that the funerals of a noble man in Rome
had cost 100. pounds, the money so enflamed
his desire, that as one besides himselfe, he cry-
ed out, saying: And giue me so much money to
my parte, and cast me into Tiber, I care not.
But most liuely is the rouseous wretche set
forth by Martial in his Epigrammes, in the per-
son of Scauola, whiche having obeyned by
wished wealth, then liued most wretchedly of
all, the verses are these in englishe.

If millions many Goddess would giue,
Should not then Scauola be esteemed
and highly be extolde?
Wher then, how would I line quoth he,
Substantia Gods did sende,
And gave him his request; but then
his loves he lost by the
Wher ragged gone, the pelting patche,
out Scauola could see,
with patche on patche a loutish lobbe,
He robbed off his shoes.

His

His table then he did neglect,
the courtest fare did please him best:
with worldly cares he was so tost,
that scarce he tooke his rest.
Then must I lue, he often sayd,
or else the Goddme take,
And so with such gan cares encrease,
and him moze carefull make.

Through whiche greedy auarice alwayes
coueting, it was that Diogenes sayde, Golde
lokeþ pale and colourlesse, bycause so many
lye in waite most cruelly to take the same:
Through which filthy loue of mony in þe ex-
treame famine at Præneste in Italy, a Soul-
dier hauing caught a mouse, chose rather for
lucre of. 200. pence, to sell the same to one of
the campe, than to eate it himselfe. By whiche
greedinesse he was famished for all his mo-
ney, and the other lyued. The lyke was that
of Midas, wishing all that he touched to bee Midas.
golde, whereby the meate was changed in
his mouth, and he miserably perished, with
golde sticking in his throte. And what be-
commeth of all at last, that is so miserably by
couetousnesse vnlawfully gotten? mary euen
as wretchedly by wilfull prodigalitie to be
spent, as the Proverbe sayth:

The Safegarde

Quod parce querat, effunder prodigum heres.
 The couetous wretch spends not, and all for to
 spare
 For the prodigall child, that spends without
 care.

But who knoweth not the miserable de-
 sire of many, y are thus lacking, by cause they
 know not how to vse euē that that they haue,
 and will be neuer accounted riche, by cause they
 are ashamed to be seene how they do abuse the
 same? such were neuer learned of the Philoso-
 phers, Socrates, Diogenes, Bion, Crates, Anax-
 agoras, Pythagoras, and others, to neglect the
 surplussage of welch, by cause they neuer made
 a quiet mind: and to set it at naught, by cause
 they do few men good. Aristotle in his probler-
 mes, defineth such me to be the worst of al o-
 ther, by questioning with riches of their dwell-
 ling, whose answer was, that once they had
 purposed to dwell with good men, till Iupiter
 enuying their purpose, did cleane put out their
 eyes, so that ever since, they blindly chanced
 to fall among the worst: and demanding
 like of pouertie, why she visited the best sort,
 euer outpassed the wicked, she answered: by
 cause good men knowe howe to entreate her,
 meaning, they would take pouertie in good
 part, bicause vertue was their treasure: but the
 wicked

The dwell-
 ling of riches
 and pouertie.

In problem.

wicked sort would be alwayes conuincing, and
 at defiance. And therefore suche murderers as
 Tantalus, ambitious as Caelus, & Sycophants
 as Clitron, of wealth had abundance: such good
 men, wise, iust, and graue counsellors of the
 common weale, as Aristides, Cato Vticensis,
 Fabius Maximus, Anaxagoras, & Plato, were e-
 uermore in trouble, povertie, and affliction: fi-
 nally, as these riches are incident to our living,
 as they are to be gotten and acquired lawfull-
 ly, as the possession and good vse thereof are
 advancemente: so vertue is satisfied with pe-
 nough: so indirect practices purchase shame: so
 if fortune step away, if wealth will not tarry
 with them that be vertuous, if poverty apply
 wher she may be entertained, let every man
 accept his estate, as though a ciuil & honest life
 were the chiefest instrument to felicitie. As So-
 crates walking in the market, among y^e riche
 shops of all maner costly wares, burst out to
 himselfe, saying, Lo what a number of things
 here are that I haue no neede of, Am not I
 therefore being in this minde, that I lacke but
 few things, so much the liker to him that lac-
 keth nothing. And these are the four adies of
 the whole progresse of a vertuous life, imita-
 tion of vertue, care of health, lawfull vse of
 h. v. honest

Socrates.

The Safegarde

honest pleasure, and due consideration of the necessarie accidentes of welthe and riches, to vertue and honestie not repugnant. Which if all men naturally were inclined to follow, no ciuill policies to frayne all degrees, neyther yet lawes to preserue policies, had bin necessarie. And as these moral partes haue bin briefly proposed, so I thinke the priuate being of household, which is the first originall of societie, and very entries of the common weale, also the first and formost practise of ciuill gouernemente, shoulde be likewise noted before the ciuill dutie of all degrees and necessitie of regiment be declared, bycause they are the second causes, whereunto these first accidentes are to be compared.

CHAP. 7.

Of the being of mariage, and duties of household in their degrees, conferring vnto ciuill gouernement.

A. Gellins.



Metellus Numidicus on a time, making an Oration to the people of Rome: O you Romans (sayth he) if we men were able by our selues, to liue without wieses and vnmarried, then woulde wee neuer bee troubled there.

herewithall: but bycause nature hath so appointed it, that we cannot liue very well with them, nor yet any way possible without them, let vs be aduised, rather to choose that, which is for our continuall health, than for a shorte and transitorie pleasure. The graue Censor well considered, that withoute lawfull conjunction of man and wife, no stocke could be maintayned, no heritage can growe, no issue can be certayne, no house can stande, the common weale can neither be peopled, nor safely gouerned. Of which the Greekes so much affirmed, that the state Economicall of euery mans private causes, should first trie him able to gouerne in the common weale. As it was attributed to King Philip of Macedonie, when he would haue pacified the strifes in the citie: and also to Leontinus Gorgias when he redde to the people, a Booke of exhortation vnto concord, & their counsell would little helpe, which should see them to order others, when they could not gouerne their owne at home. For Philip had his wife and his sonne at continuall discord, and the wife of Gorgias and his handmaid could neuer agree. The parts herofe consisted in man and wife, parents & children, master & seruants, which are in common, & are of that tree,

Mariage
learneth re-
giment.

Philip.

Gorgias.

Three partes
of mariage.

The Safegarde

Of man and
wife.

Gracchus.

The witness of

Mimi die for

their husbands

the Lacedaemonians

tree, the body whereof is the whole common
weale, whose dutie therefore being well con-
sidered, conduceth muche to set order among
the people. In the first, that is, the combinati-
on of man and wife in one, leue, vnitie and all
good liking lodgeth, whē one cannot reioyce
but the other is glad: one cannot be greued
but the other will be sorrowfull: one is the se-
cretarie and seruant of another: both are com-
fort, mirth and pleasure of one another: and
both be beginning and ending, liuing and
dying the one in the other. As in that notable
hystorie of Titus Gracchus towards his wife
Cornelia, whē he found two dreadfull Snakes
in his house of deadly destiny, vnderstandyng
thereby, that except he killed one of the, he and
all his house should perishe, of which if he spa-
red the male, him selfe should scape and his
wife should die: and contrariwise, if he killed
the male, and spared the other, his wife should
liue & he should die. This good man chose ra-
ther to die himselfe, than liuing to see Corne-
lia his wife die. And on the womenes part,
Mimi die for had not the husbands called Mimi such loyall
their husbands, whē they were condemned for treason by
the Lacedaemonians, the night before they should
suffer death, the women as it went to take their
last

last farewell of their husbands, obteyned of y^e
 Bailor, to speake with them in the Dungeon,
 and there chaunging their apparrell, and say-
 edly lamenting, turned out their husbands,
 and chose to die in their places? Did not Da-
 monocrita, Alcippus a noble mā's wife in Rome,
 plea hir and hir children, bycause she was pro-
 hibited to goe with hir husband into banish-
 ment? the valiant Hector so farre greeued for
 Andromacha his wife, more than for himselfe,
 his parents, his brethren and the whole citie, as
 he crieth out of Homer, with weeping teares Hector.
 and inward groanes.

Damocrita.

Haud equidem dubito, quin concidet Iliū ingēs.

I neede not doubt, but stately Troy shall shortly fall,
 And princely Priam with the rest, must be destroyed all:
 Yet neither greeke nor countrey spoile, nor for my mother deere,
 Nor for my father Priam King, my hart beginnes to teare,
 Nor for my brothers all, which many and valiant be
 That trembling stand before the sword, euen ready for to dye,
 As do these scorching cares, for thee my wife
 which greeue my hart full sore.

The women in Cathay, where one man
 hath many wiues, pleade solemnly before the Munsterus.
 Iudges at their husbands death who hath best
 deserued of him in his life, and all to haue the
 honoz to be burned alive (as the maner of fu-
 nerals there is) with the dead corps of hir hus-
 band. A singular tokē of loue, amog Painims,
 euen

The Safegarde

Marriages of
the heathen.

even to burne alive, therefore, and to count
chesteft honoz. How y^e heathen married wivres,
what lawes were made againste single life,
how they vsed diuorcemēts, histories are full.
The Numidians, Egiptians, Indians, Hebrewes,
Persians, Parthiās, Thracians, & almost all the
Barbariās had many wivres. In Calechut one
womā hath vij. husbands, & the childre are fo-
thered as please y^e mother. Among y^e Medes,
one man had many wivres, & neuer fewer than
vij. One woman had many husbands and lesse
than five was a shame. In Arabia, one woman
was a cōmon wife to al y^e wivres of one house,
they made no differēce of mother, or sister, if she
were not of y^e kinrede, it was adulterie. The
Turks haue many wivres, but no more but one
in one citie. The Messagites, Scithiās, Stoikes
& Atheniens, vsed their wivres in cōmon, & like
beasts openly: the Assyrians & Babilonians, as
now do the Saracens & Arabians bought their
wivres in opē market at a common price. The
Amazones on y^e wedding night suffer their
wivres to lye with al the guests in worship of
Venus. Among the Carthaginiens, before the
maides were married, the king shuld deflowre
thē. Among the Scots, y^e Lord of the soyle did
the like, till K. Malcome reuered it, that they
should redeeme their maidēhead wth a crowne

of golde. The Turkes solemnize matrimonie,
without othe or bowe. The people Lappones
use none other ceremonie, thā striking fire out
of a flint stone, vnder similitude: that as y^e fire
is hidde in the stone, which by stroke of iron
giueth light, euen so in both kinds of man and
woman, is the secret power of life, producing
liuely creatures. In Rome before y^e bzide come
to hir husbands bed, fire and water were gi-
uen hir, which haue power to purifie & cleanse,
signifying y^e she should be chaste & honest. The
maides of Greece & Rome (as in Homer & Ca-
tullus) vsed to girde their shaine with a lase or
swaddel, til their day of mariage, at which day
they would not goe ouer y^e thershold, but wer
borne in ones armes, to declare that they lose
virginitie against their wil. Among the Ro-
manes, the woman was honozed, that married
but once to be made a widowe, as of Anna
a yong widow earnestly solicited to marle a-
gaine, made aunswere: I cannot be so per-
suaded for any cause: for if I should meet with
so honest a man as my firste husbände was, I
should be continually afearde to lose him: if he
shoulde be otherwise, then what folly were it
to be troubled with an euill husbände, to one
that had one good before? So said y^e daughter
of Demotio of Athēs, heryng y^e Leosthenes, to
whom

Anana of
Rome.

The Safegarde

whome she was betrouthed, was dead in bat-
tel: albeit he neuer knew me carnally, yet if I
shoulde marrie any other, I shall but deceyue
him, since in heart I can neuer be vnwedded
from the first. Among the Moscouites, the se-
cond mariage is permitted, but not the third.
Aristotle defineth the times of mariage for
both sexes, that was. xviij. yeeres for y^e womā
and. 36. for the man, making due comparison
betwene them, for the habilitie of nature: af-
ter which time al that were vnmarried, Licur-
gus made to be banished among y^e Assyrians.
As soone as y^e yūg womē were marigable, they
were all bought and sold in open market, the
price of the fairest that were solde, was payed
into the common banke to buy husbands for y^e
fowler. In Carmania no man married a wife,
except he first brought the King some enemies
head that he had slayne on his speares poynte.
It was a law sometime in Germany, payned
with y^e losse of life, y^e every mā & womā shold
marrie within their degree of calling, nobles
with nobilitie, the free bloud together, & al y^e
wer bōd in like maner. Amongst many it was
argued, who wer most of al to be liked of wo-
men. Theophrastus was of opinion, y^e a man
might more easily cōtent hym with a homely
circumstance,

dame, that be perswaded to keep a fair woman honest, bicause nothing can continue safe, wherunto at men bend their policies, whiles some may be liked for their personage, some for their gifts of the mynde, and some sollicite their cause by eloquence, some by liberalitie: and seldome (sayth he) it is not by some means wonne that is so many wayes assaulted. And therefore Ennius calleth the indifferent sorte of women of staid beautie, and allotweth them before the fairest. Among the Philosophers some would neuer marie, as Arthinius a Carthaginian in the 80. yeere of his age, being a veryt wyse man, and as straunge vnto women as he was familiar with his bodie, being importunately perswaded vnto mariage for the ease of his olde age, and to leaue some memorie of children, resisted the same, saying: I will not be maryed to any woman, bicause that if shee be foule and vncomelie, I must needes abhor hir: if she be faire and handsome, I shalbe icalous ouer hir: if she be rich, I must be ruled by hir: if she be poore, it will trouble me to mainteine hir: if shee be shrewish, I shall neuer be in quiet: and the least of all these saieth M. Aurelius, is ynough to flea a thousand men. The lyke was that of Socrates, taunting at both condi-

I.

tions,

The Safegarde

Laert. Lib. 2
Cap. 5.

tions, of mariage and single lyfe also, awarding bothe to bring repentaunce, saying : If thou marrie not, thou shalt liue solitarie, thou shalt dye without issue, and a straunger shall inherite thy lande: if thou marrie a wife, thou shalt haue perpetuall vexation and continuall complayning, hir dowrie shall bee alwayes in thy dishe, hir mother will comptroll thee, and hir kinsfolkes will bend the browes, and bee euermore fynding fault: besydes all which, little knoweth the father what will bee the ende of his children. Whereunto Diogenes affirmed for mariage, that the tyme of marying, to a yong man was euer too soone, and to an olde man alwayes ouer late . These, among other innumerable Daynime abuses, haue I cyted, to note onely, that bothe the indissoluble knotte of mariage muste bee alwayes one, that the choyle of bothe sides muste bee for honeste and godlie loue, that chaste conuersation is the chiefeste beautie, and that age moste indifferent wherein they begyn to proue wyse and vertuous, that dowrie to suffice that maketh chaste and loyall, and that to bee greatest housewifery to learne a godlie and dutifull life . And now of the same
dutie

dutie of bothe degrees, of the laudable con-
 uersation of bothe, and of the one to the o-
 ther. Moste commonly suche as the man by
 his outwarde bebauiour, wordes and ex-
 ample sheweth himselfe, the wife wil be the
 lyke, good or bad: and oftentimes an euill
 wife is the cause that the husbände goeth a-
 strait. It is no poynte of humanitie, to
 deale roughlie or extremelye with the parte-
 ner of thy being, as with a seruite people,
 whose inheritaunce is nothyng els but bon-
 dage. For that is to plunge them in dis-
 paire, and to make them more frowarde and
 distrustie, thā the vilest seruant of thine house.
 It is no wisdom to acquainte thine house
 with lasciuious and light speeches or wanton
 and foolish delightes, least the same may beget
 the creeping worme of ieaousie, in hir that
 wil aduenture hir shame with boldnes. Nei-
 ther is it with discretion, to set on worke eue-
 rie vaine opinion in a ieaous heade, least vn-
 true surmises procure moste shamefull practi-
 ses. There is a loyall obedience without se-
 nueritie, familiaritie without contempt, tolle-
 rable mirth without lightnesse, a trust with-
 out securitie, and good animaduersion, with-
 out temerarious rashnesse. What woman

The cons-
 uersation
 of husband
 and wife.

The Safegarde

will not take occasion of euil, hauing an husband so holde to confesse the dissolute life, as
Comodius. Commodus was vnto his wife? or who would tolerate so much as Tertia Aemilius wife, to haue hir maiden made hir partner in hir own house, and yet dissembling hir husbands fault?
Iust. Lib. 1. What made Giges to luste after Cardaules wife, but his owne follie, that was not content with his pleasures in secret, but hee must haue Giges in a priuie place to see hir naked and to witnes of hir passing propernesse? and what made hir cōsent to be an adulteresse, and to conspire hir husbands death, but the same his betraying of hir nakednesse? if Collatinus had not made comparison of his wifes beautie Lucretia, but had bene contented to delight him with hir, as becomed, and no further, the young Gentleman of Rome, had not bin raniſhed with loue to see hir, Sextus Tarquinius had not stole into hir chamber to doe his lust, and Colatinus had not ben spoiled of that excellent mirrour of chastitie. What els is that good and politike behaviour of the Turkes, that in the sight of other neuer vse wanton or vncomely speech as it is also the counsell of Cleobulus to all husbands, but bicause the husband shal not lose his grauitie vnto the wife,

wife, nor the wife his reuerence to the husband?
 But what grauntie is that of baine men, that
 tearfully suggest against their wiues, and yet
 with hateful confessions make harock at last
 before their faces? Was it to be liked of Solons
 lawe, that was made against the one, and not
 the other, bidding: *Si vir uxorem in adulterio*
deprehendit, occidit, sine ea virum, ne digito eam
attingat: If the husband take the wife in ad-
 ultery, let him die, if he find him so, he shall not
 be touched: at which parliament said a certain
 woman, it appeared to women were of cou-
 self: So was it a lawe sometime in Fraunce,
 that the men had the whole correction of their
 wiues for every light offence, by death or by
 they would, and yet themselves to be lawlesse.
 So was it among the Egyptians pleaded by
 Diocorides: *Mar in adulterio deprehensus, ver-*
beribus cedendus: femina vero naso mutilanda,
 Every man taken in adulterie should be whip-
 ped, but let the woman lose her nose. And yet
 no doubt the crime as odious, and the fault to
 be punished in the one as grievously as the o-
 ther, excepte you will say, the weaker sex is
 somewhat to be spared: which inequality of
 law, and custome of tolerance, more liberal-
 ly used to the husbande than the wife, as also

Munsterus.

The safegarde

The dutie
of wiues.

the dissolute behaniour before remēbred, haue
bin very many a kinde of perswasion, doubt-
lesse & an hardening to offence. All which are
for these causes, first of all on the mans part to
be condemned. On the other side, to treat the
dutie of the wife, I note principallie that of
Xenophon, lib. de re familiari, saying, *Feminas*
diuina prouidentia timidiores fecit quam vi-
ros, quia eas custoda, diligentiaq; assignauit,
God in his prouidence, hath made womē na-
turally more timorous than men, for that hee
hath appointed them to be keepers and over-
seers: meaning that which Aristotle speaketh
of, that the charge of the wife is of al things
within the doores, as well as the husbannes
care is without. For that is to be a keeper and
overseer, even to preserve the house in safetie.
And what maketh a man more diligent to keepe
and carefully to oversee, than timidity & care-
fulnesse? that is y^e meaning of Xenophon. In-
stead of vain liking in their own beautie, let y^e
very ornaments of womanhood delight the.
Aristotle calleth beautie a gifte, bicause it is
freely giuen of nature: Socrates a short tyrani-
nie, bicause it soon faileth: Plato, the preroga-
tiue of nature, bicause it happeneth vnto fewe.
Theophrastus a dumbe discipyt, bicause it per-
suades

Philoso-
phers opi-
nions of
beautie.

swades without speech: Theocritus a goodlie
 shewe, but dangerous, bicause y^e biew is ami-
 able & full of incomodities: Carniades a kings
 authoritie without a garde, bicause men are
 subiect to beautilie, and yet it bleseth no power at
 all. And last of all, Diogenes likeneth it to let-
 ters of perswasion, and eloquent speeches. But
 all Philosophers are of one opinion, that the
 chiefeest ornaments are modestie & shamesfast-
 nesse, expelling all nicenesse, wantonnesse, new
 colouring of skin & fauour, newe deuising of
 straunge attire, monstrous deformities of cut-
 ting, friseling, borrowing and exchaunging of
 beare, & painted facings, gaddings abroad to
 make newe shewes, continual reuelling, and idle
 pastimes, & in steed therof, garnishing y^e minde
 & conuersation wth the praise of an honest, vertu-
 ous & sober life. The ointments and waters
 that Pompeia Neroes wife vsed to make hir a
 new face with an artificall skin, to bee kepte
 still seeming young, with Asles milke, was
 not only lothed while she liued, but may be
 a shame to womē now she is ded. What made
 the Ladie Claudia of Rome, to bee infamous
 and noted of vnchast liuing, (forced to purge
 hir by a wondrous sight, drawing a barge a-
 long Tiber by hir selfe alone) but hir cu-

Pompeia.

Claudia.

The safegarde

rious and neate apparell: what sooner inue-
glett mistrustfulnesse into a zealous head than
frequenting of euil companye, and lasciuious
lightheartednesse? the Parthians women are forbidde
to come to any feastes or common meetings.
In Turkie, you shal scarce see through y^e year,
a man and a woman to talke openly toge-
ther: The Matrones of Rome, mighte not
drinke, or so much as once sippe of any wine:
Insomuch as Cato the Censor made an order,
that their kinsfolke should kisse them, to p^{ro}oue
if they had offended, and excepte it were bin-
dayes in chibberes, and in time of sicknesse, by
counsel of the Physicion, and once only vpon
every solempne feast day, they might not break
the same order: in which three cases onely and
no more, the husbando was wonte to promise
it vnto the father of the woman at the churche
dore. It was lawfull for the maides of Spar-
ta, to goe with their faces vncouered till they
were married, but after they were once married,
it was not lawfull. And the same was, in to-
ken that they sought not to please men, but
were wholy contented with the fauoure of
their husbands. But far more seuer was that
of Georgius Leontinus, that thought it most
necessarie, that women should alwayes bee kepte
within

within dozes. And moſte commendable was
 the great ſocietie of many Roman Matrons,
 that made it the uttermoſt of pleaſure, to pur-
 chaſe an honeſte name in their owne houſes.
 Such one was the wife of Fortunate, that du-
 ring. xliij. yerres & hir husband was at warres
 with the Volſchi, ſhee neuer was ſcene forth
 of the dozes, or gaſing at the windowes, nor
 yet ſuſtred a hye man childe aboue. viij. yerres
 olde to come within hir houſe, by the ſame to
 take away all ſight occasions & might grow
 ſuſpitiouſe to hir honeſt name & yea vpon ſo
 great extremite of paſſions, as bring at laſte
 earnestly beſides to ſee a monſtrous man
 that was in the ſtreets, conſidering it was a-
 gainſt the intent ſhe beſore had purpoſed, not
 ſo much as ſhe could looke out a dozes, becauſe
 there was no way to bring hir into hir houſe,
 ſhe loſt hir longing and dyed. Was it not to
 be noted of Lilius, wife of Hieron of Syracuſa,
 being reprehended of hir husband, that ſhe ne-
 ver warned him of his ſturking breath, till his
 friends perceined it? Ther is no canke good hus-
 band (quoth ſhe) that I ſhould be miſliked, for
 I neuer ploued any other mans, but thought
 all had bene as yours is. What a praiſe was
 that to Armenia, when hir husband asked hir

Bilia.

Armenia.

I. b.

how

The Safegarde

howe shee lyked Cyrus beautie, when she was come home to hir owne house from a banquet that shee had made, whom many of the gastes did wonderfully commend: I neuer turned mine eyes (sayth shee,) from you my husband, all the while I was there, and for that cause cannot I indge of any but yours. These bee speciall evidences of sobrietie, chastitie, honest conuersation, and besides many lyke notable presidentes for all women to imitate & follow. For the shal not vniō be neuer separated, which ought to be indiuisible, the shal not diuollemētts set all at large, nor any maner displeasure deuide man & wife to dwel asunder. What greater shame than y name of an adulteresse? what more villanie thā a bed defiled? what more greuous than after many yeeres passed to ioye on both sides, & many childre to increase y same, one enuymous biter to overthrow y good estate of both? neyther yet maye any lawfull policies allowe of y vnlawfull perswasion y hath bewitched many, to think it tolerable, to aduul or inuouate marriage, for any mislike to be vnyoked: for that was hethen impietie. In Calchar in Asia, they scorle and chaunge their wiues at euery willie, shall wee chaunge, saith one: speak you in iest or in earnest saith

Of diuorces
mentes.

saith y other: By Pollux sayth he again, I sain
 not. And tht it is a bargain, y diuorice is made
 & both at new married. In Lithnama a couñtre
 of Polonia where y husbannes vse chamberfe-
 lowes for their wiues, called y helps of mari-
 age, diuorices are at all times done by consent
 for al causes, & again & again renewed. In ma-
 ny places, hartenes & nothing els was y cause
 of diuorcemēt. For which cause only, Sp. Ser-
 uilius put away his wife in Rome. Cicero
 was diuorced from Terentia, bicause she was
 shrewish & suffered his house to run in decay in
 his absēce: he put away his sechd wife, bicause
 she reioyced y death of Tulliola his daughter,
 whom he lamented. Tiberius dared not to be
 diuorced frō Iulia y daughter of Augustus, but
 he departed frō hir neuerthelesse to Rhodes. Lu-
 lius Cæsar being repproued for putting awaye
 Pompeia his wife, vppō y slander rise betwene
 Clodius & hir, bicause he would not shew y oc-
 casio: he said, he thought y same reparte, to de-
 serue as much as y crime. And yet more wise-
 dome it were, with M. Antonius to kepe coun-
 sel with Faustine at y first, than for a man that
 once kindled his own harms to continue by the
 losse: & most misse point at him sonest of al,
 & worthely, y ieaousie vppon euery tale or sot-
 tish surmise, wil but at himself, to defame his

The Safegarde

Of Parents
and childre

Of mothers.

honest wife, to vilable his lawfull childe, and to bring discredit on his owne house, only to lose the knot that was not made to be vnknott, most hateful, most shameful and too common now a dayes. An other care consisteth of parents to their childe, and the dutie of euery childe vnto his parents. With the mother they begin to liue, the father teacheth to liue well. The mother enfourmeth nature, the father guideth to be true. The mother breedeth the childe, and the father fashioneth him to common weale. In which charge of mother, what can lesse deserue of the childe saith Chrysippus, than to nurse him with a stranger? as though nature might suffer it, to deale the milke of the breast to his owne childe, that so long was carried in his matris and fed in his wombe: as though (saith he) their pappes wer rather made to beaurie their breastes, than to nourish the fruites of their bodie, as moche vnto manlike, some doe use plasters and medicines to drye up their milke, not without great danger of health, only to trim the more heate to be seene. The savage and wilde beast will not suffer to be troyled of his young, but with cries and gronings runneth about y^e wilderness, to shake his burden, if it but once stray afoot: y^e woman

alone is carelesse of hir childe: the brutish creature, that feedes on earth and grasse, is mosse tender and heedfull what may happen to hir young ones, if we doe but see the steppes of man appoaching neere: yet woman can make an bitter straunger, the stepmother of hir childe: the cruell Tiger carieth hir whelpes in the lap of hir bellie, wheresoeuer she goeth, only woman, moze cruel than the Tiger, shunneth to giue sucke vnto hir childe: the fearefull beare creepeth on hir backe, to come where hir yong ones bee, least the hunter should finde them, by tracke of hir foote: only woman seeketh to rid hir of hir childe, into y^e vsage of an other: with antiquitie, the mothers brest so much deserued, that when she would most earnestlie craue any thing of hir sonne she would request it, by the milke that gaue him sucke: but what aunswere might their children make them now a dayes, that neuer tasted of their milke, or put them to any maner care?

They are lyke to the women of Iseland, that make as much of their little curtes, as of their children, wishing rather to lacke the one, than to departe with the other. And well may bee compared to the straungers, that Iulius Cæsar on a time noted in Rome, for carying apes
and

The Safegarde

and puppie dogges in their armes, asking the questio, whether they had no children to dallie withall . And besides the naturall care that is requyred in euerie mother to nurse hir owne childe , I would the good examples of such vertuous women as Zenobia, that instructed hir sonnes hir owne selfe in Greeke and latine, Aurelia and Actia gentlewomen of Rome . The mothers of Iulius and Augustus Cæsar, that taught their children grammar, might moue women, in steede of ribaudrie and filthie speeches, to teache their children, as vertue should dispose them : and in steede of peacock vanities, that they moste of ail are pleased with, I would the good matrone Cornelia might be folowed, which being the scholemaster, of both Gracchi hir children, vnto a foolish dame that bragged of hir raudrie laces, hir iewels about hir necke, and hir new fashon garments, requiring to see hir iewelless lyke wise: Mary (sayth shee) and here be mine, poynting to y^e vertuous yonthes hir children comming from schoole . After the mother hath thus done hir parte, then cometh the fathers charge, which moste men prescribe at seven yeeres olde . Howbeit the Galles, (sayeth Cæsar) medled not with them,

them, but the mothers onlie, til they were ready to bee trayned vp to warres : and the Persian women nursed them fyue yceres out of the fathers sighte, and then they were set to schoole to learne iustice and truth : A people sayeth Plato, none deserning better. For such as youth is at first, they will grow in the common weale.

*Quo semel est imbuta recens, seruabit odorem,
Testa diu:*

Looke howe the pot first seasoned is,
It sauoureth long thereof.

And therefore King Phillip of Macedon, was not so glad that God had sente him his sonne Alexander, as hee reioyced that it was in Aristotles tyme, to haue so good a scholemaster for his childe . And Alexander thereof was wonte to say : that of his father he receiued life, and of his master to liue well.

For what force good education worketh, and howe the same by good discretion may bee holpen, the wise aunswere of Socrates to the Physiogromer, y^e iudged him leude by

The Safegarde

by his face, saying, by nature hee was suche a one, but by good lessons, he was amended: also the comparison of Licurgus two dogges, one vsed to hunting, the other to lye by the pot side, of cleane contrary conditions, yet both of one litter, but by vse onely differing: and the similitude of the fierce horse that King Alexander by gentle breakings brought to good mannage, which his father King Phillip despai red of, may well declare. Youth is therefore lykened to softe ware, apte to receiue euery printe, and must be handled, as one would fill a glasse with a narrowe mouth, by pouring in the water with a pipe by little and little, that is, the tender childehood of young imps is most getly to be entreated, such to xliij. yeeres of age, which is called the age of discretion, all which time, obedience and good manners, is in them to be imprinted: but from thenceforth insolencie and forwardnesse that beginneth in that age, muste by some sharper dealing be bzideled. For then (sayeth Cicero) meaning adole scencie, good counsell is necessarie, needfull seueritie shuld be vsed, and wilfulnesse of youth must be restrained: the some commendable crafte of liuing, as euery one is best inclined, shoud be exercised. As it was a lawe

Cicero de
senectute.

In this Solomons time, as the child should not
 be charged to succour his fathers age, if he had
 not learned him some profitable science in his
 youth: then also honest manners & civill life,
 should be the mark of youth to shew out. And
 happy is the child, whose legacy is bestowed
 in good letters, though it be to exceede the pos-
 sess of his parents: for the honour of such a child,
 is to the father, of what condition so ever he be,
 a triumph, and a palace of victorie. It passeth
 the casuall marte of worldly goodes, and only
 of all things lets a man at libertie. Whereof
 may Phocion be a lively witness, to one that
 wished him, to provide well for his children,
 that they might encrease the honour of his stock:
 As for my children (sayth he) if they followe
 vertue, which I have ever studied to teach
 them; this little forme I have, shall bring them
 to deserve more: if they prove otherwise let
 none thinke that their father will provide to
 maintayne their riot: A worthy answer of
 a Paymian father. On the contrary side what
 a pittie is that, when wante of good education
 shall make the childe so ruse the Parents, and
 the Parents in their olde age to condemne
 them selves: when the childe shall impute all
 to the securitie of his licentious breeding, and

R.

make

The Safegarde

make the foolish pittie of his parents, offendeth
the cause of his unhappy ende: as one that go-
ing to the gallows, willing to speake in his
mother tongue, bite the same off with his teeth,
crying out upon hir openly, that his suffe-
ring herein at firste to steale small trifles, had
broughte hym to be hanged. And as that of
Augustus, whych he had wente to cite out of
Homer, *Coniugium dula, nati veniam ca-*
ritasque, I woulde I hadde neuer married wife,
for that I hadde neuer bene troubled with
children: whyche hee speaketh by his thame-
liffe daughter Italia, whome his suffaunt
at sylle, had made a common harlot as Po-
pilia was the lyke to Marcus his father: Com-
modus and young Cicero, to both their wise
fathers also, and all for wante of due cha-
stismente when vice beganne to frette their
tender youth. For if perswasions nor cor-
rection may serue, our elders thought it not
unlawfull to refuse them. As Socrates au-
thorized one that mistaked the same in him:
why (sayth he) is it so great a matter, by cause
tho, is my sonne, that I should forsake him? do
awaye and spit out the superfluous humors of
the stomackes, and ridde vs of the vermine
that breedes in our bodies, and all by cause it
serueth

serueth vs to no good purpose at all: as also
Menedemus sayd to his son Clinia in Terence;

*Ego te nunquam taceffer dici volo, dum id quod te
dignum est facias.*

So long and no longer thou shalt my loue be,
As thou behavest thy selfe with honestie.

And therefore it was a law written in the ninth table at Rome. VVe commaunde e-
M. Aurelius cap. 42.

very father, whiche in opinion of all menne
seemeth good, that hee will differethys
sonne whiche all men doe thinke to be euill.

What good amendment such necessarie cor-
rection also worketh oftentimes, experience
teacheth, as by proofe in that of Themistocles,
being forsaken of his father, when he was ve-
ry yong, and disinherited for his lasciuious-
nesse, prodigallitie and disobedience, conside-
ring with him selfe that he deserved no bet-
ter, and being ashamed of his life, and desir-
ous to amende, he at last so religiously em-
braced bettue and good manners, seeking bys
fathers fauour. Noeclis, that none deserved
more payse, for were to be compared, he be-
came as necessary to the common weale as
any other. For when yong men haue measu-
red the depth of their owne follies, by y rule of

Ex. ij.

chastise-

The Safegarde

Of maisters
and seruants.

Three quali-
ties of a mai-
ster.

chastisement, layde to their dissolute and loose life, so that they once begin to shame thereat, then will they for loue of vertue be reclaymed easily to an honest life. The third degree is of maisters and seruantes, for as magistrates are necessarie, to minister iustice; so it is required, that every household & maister of others, shoulde gouerne well the state of his owne house, that seruantes therein exercising obedience, may the rather be submitted to that generall condition of publike gouernement. By whiche good example of the maister, laid before his seruants, he is himselfe better serued.

I

That is, first of all let him be a president himselfe, of labour taking, in some kinde of exercise of body or minde: if he be a minister for the common weale, let him practise his whole studie thereupon, so that all conditions may auoide idlenesse, vnecessary ease and security, yea though they neede not any iose to paynt them selues, for that will make all that are of his charge, to be carefull: loyterers labourers and the hired seruant to deserue his hire, euen for shame, if nothing else. Alphonsus being of great dignitie, was reprovved of Mathew Siculus for vsing to be occupied with handy worke as vnfit for his estate. VVhy (sayth he
smyling

smiling at him) hath God and nature given
 kings their hands to vse them to do nothing.
 As though he should haue sayd, what wealth
 or estimation forer men be of, let them know
 their idle life may not be excused. Secondly
 is required in a mayster that moderation of
 chastisement, as may be sometimes with gen-
 tle words to do more good than with severe
 stripes, considering he hath to deale with peo-
 ple of a free condition and not bounde, as the
 most were in elder times, not only of feeble
 nature; but of most hateful manners, such as
 sought the utter destruction of their masters
 in Asia, the overthrow of all the common-
 weale in Rome, the extermination of all good
 lawes among the Volscianes in Caria, so
 that no private house wanted not in them-
 selues. And al gorth commonly to wrecke,
 where seruautes do more for feare than for
 any good motions that they haue of lone to do
 well. Thirdly, in matters is required, that
 they be such in manners and conuersation, as
 they may not iustly see the very offence of
 their owne people, whose bare example must
 needes be more than the faulte, euen for ex-
 amples sake. Of which Diogenes speaking,
 thoughte them not fitte to take the charge of

K. iij.

others,

The Safegarde

others, that were ouercharged with their own afflictions.

4 Fourthly, it pertaineth to every household, to be a scholeraister and a iudge in his owne house, to teach and instruct them vnto vertue that are vnder him, and to set peace and peace amongst all them that are of one house. The want whereof, as is said before, was in Philip and Gorgias condemned of the Grekes. For he which will not correct inturies among his owne, may him selfe be damned: and he that suffereth letwode people in his house, may be afraid of many mischiefs when

Of seruants. he is abroad. Last of all, let the seruantes carefully attende, and be obedient vnto their maisters, without disperaging the state of their wealth and tranquillitie: let them be honest secretaries and trustie friends, let them not saye in needfull causes. For whose example,

Of bondmen. I neede no more but compare some of the seruile people that I spake of before, as intrecours to the hired seruants of our age, being vile slaues and bondmen, without any hope of freedom. When C. Porcius Plancus of Rome, being outlawed by the Triumviri, and lurking in a village neere Salernum, was sought for by his southerners, his slaues being threat-

ned and miserably used with tormentes, to be-
 tray their master, would neuer disclose him
 till Placcus came forth and peeled by force
 to deliuer the poore wretches from paynes. M.
 Antonius being accused of incest before the
 iudge, and his seruant that lighted him by can-
 dle examined, whipped, set on the wheele, and
 racked, and with scalding torches halfe burn-
 ed, would neuer yet accuse his master. When
 the same M. Antonius was subdued of Octa-
 uius, he commaunded Erotas his seruante, to
 thrust him through with his sword, but he fol-
 lowed his master, that seeming to strike him,
 he thrust it into his owne body. When Capi-
 was condemned for conspiring against Au-
 gustus, his seruant put him in a chest, and by
 night conueyed him to Naples, but by no ma-
 ner violence coulde bee compelled to utter
 where his master was. As Appion on a time
 was besieged where he slept, of his enemies
 that came to kill him, he had a seruant that
 put on his masters clothes, and laide him in
 his place to save his masters life. Infinite
 are the like examples to stirre menne to due-
 tie, where dutie is required, and may well
 note such masters to haue well deserved
 without violence or wrong doing to such.

The Safegarde

as leered with Anglenesse and faine obedi-
 Finally then, a householder by whom the co-
 mon weale beginneth to be peopled, purpo-
 sing his dutie this; as he is a husband, a father
 and a maister; no doubt will be easily tray-
 ned to that societie and neyghbourhood that
 growes of common weale, and maketh de-
 grees of government by good consideration
 only, yea though civil lawes were not, ney-
 ther regiment compelled thereunto. Of which
 societies, as they orderly folowe the private
 being of householdes, and are the seconde
 spronges of that roote, even vertue, that began
 the publike weale, shall be shewed in the next
 Chapter.

CHAP. 8.

Of societies, felowships and neighbourhood-
 for ciuilitie, friendshippe and publike
 weale.

Offic. I.



Soe in his Offices, setting
 aside that infinite compari-
 son of nature, which toucheth
 all men alike to be of one so-
 cietie & felowship, It is more

proper

proper (sayth he) to be of one nation and language: and more than that, to be of one town or citie: and thirdly to be of the same bloud and kinrede: and not the least of all is that which the similitude of honest manners maketh. To bee familiar friends, these foure he chiefly noteth. The first made Sinon y Greke The Societie to adventure him selfe, and to feare his flasse, of one coun- to betray the Troyans, rather than his countrey, trey. Sinon. Grekes should lose their honor. The same made Zopirus to mangle his face, to cutte off Zopyrus. nose, lippes and eares, to make the Assyrians a pray to the king of Persia. The same made Themistocles Themistocles to write his letters out of exile to Athens, that although he might perhappes imagine treason, to get the gouernemente of strangers, yet to hurt his countrey, he would neuer bee a traitor: and therefore as soone as Xerxes would make him of his councill, to warre vppon Athens, he poysoned him selfe. The same made Alcibiades, though twice hee Alcibiades. was banished, to write home to his countrey, of all the perilles that he heard of to wardes them. And the same made Regulus to returne Regulus. with violence vnto Carthage, to suffer death, that Rome might lose no honor. The seconde, The Societie to be of one towne, is that which one custome, of one towne,

The Safegarde

privilege of freedom, bathe by policies united to be one body. Which franchised places have ever bin of that dignitie for civill government and lawdable living, that the noblest Dukes that were, have desired to be incorporate to their libertties: as Hercules and Alexander, that were burgessees of Corinth: the Lords of Xerxes court, that would compound with Athens: the territories of the people about Rome, that so honored their freedoms, that they sued to be but tributories thereunto: and divers other of many renowned cities. In whyche grauntes they took so great advice, as none was easily receyved to be free, and fewe that were straungers coulde be hearde, for feare of hurting theyr freedoms by the singularitie that sometimes creepeth in with new friendes. Cato beeyng but a chyld of sixtene yeeres olde, would neyther by fayre meanes nor foule, be intreated of the latine legates to intercede to hys uncle Drusus, to make them free in Rome. When Liwia the wife of Augustus Caesar, most earnestly requested to have a Gall admitted into Rome, he answered flatly, that he would rather pardon the Gall his tributes out of hys owne coffers, than the freedom of the

Hercules.
Alexander.

Cato.

Caesar.

the citie shoulde bee ouercommon to straun-
gers. But the Venetians will receyue Venetians.

none at all that is a straunger, at least wise; he
shall neuer be put in office: whiche dayly ex-
perience by forward fozeners in many worthy
places may note to come of great discretion.

In such ciuill societies of one towne, each de-
gree like wise was duely made of: suche as by
wisdomme, good moderation, vertuous ende-
uours and knowledge, deserued of the com-
mon weale, were with one consent of all men
worshipped and reuerenced with honest de-
meanor: and suche as were obedient to lawes
and policies, and carefull to preferre honestie
and iustice in all their mysteries and occupa-
tions, were reputed ciuill, and with that pre-
ferment only, were very well contented: dig-
nitie was not ballanced by birth: estimation
rayned not in riches: credite came not of con-
tinuance: to bee a gentleman, to bee a riche
man, to be an elder, without vertue, without
wisdomme, without experience or knowledge,
were counted bare bragges, supercilious
sutes, and a naked nothing, to bring a man to
dignitie, estimation, or credite. Of suche

Degrees of
estimation,

sayd Diogenes: Bragnesse of noble paren- Diogenes?
tage, and enhauncementes of fortune, are
most

The Safegarde

Antonius.
Cateline.

Offic. 1.

most commonly clokes, to couer yll conditions. For may not that be sayd to many which rustle at their Peacocks feathers of vayne glory? which Cicero sayde by Antony and Cateline; *Non sunt tam genere insignes, quam vitij nobiles*, The proude gentlemē are not so noble of birth, as notably naught. And may it not be fully sayd of many, which be hathe in another place, of such as degenerate? *O domus antiqua, heu, quā dispari dominare domino?* O ancient house of great antiquitie, how far vnlike is the owner to his ancient predecessors? yee do not the most of such folly felowes, that would build vpon braggance, deserue that Cicero said to Salust, which facing out his stocke and kinrede, made an vpstart of Cicero, as it were wanting birth and continuance to proue his getrie. I (saith Cicero). reioyce, that in me the memorie of myne auncestors is reuiued, but thou mayest be ashamed, by thy vile life, so to obscure thy friendes, that were renowned Citizens: And bragge not of thy birthe to mee, for better it is by my desertes to make an entraunce for my posteritie, than the fame of thy auncestors to make an ende in thee. And therefore Plato describing nobilitie by degrees, one of them, whose

Plato.
four kinds
of nobilitie.

whose auncestors were good menne: another of them, whose auncestors had gouerned the common weale: the third of them whose auncestors were famous for their victories, denieth not, but such are taken to be noble men or gentlemē for these descents from their ancestors: but saith he, the fourth sort is of them, that by their vertue and good gifts are nobilitate by them selues: and these he calleth, verē nobiles, noble men inderde, without y claiمة of pedigree. So Seneca ad Lucilium, non fuit Socrates patricius, non eques Roma, hunc tamen & Platonem philosophū, virtus non claros accepit, sed nobiles reddidit: Socrates was neyther esquier nor gentleman in Rome, and though neyther he nor Plato were borne to worship, yet their vertues had made them noble. So was Cato Censorius for his good gouernemēt had in honoꝝ though he were boꝝne at Tusculane of a small inheritance. And so was Cicero called Pater Patriæ, though of long time bys lineage was obscured. And yet no doubt, the good defectes of many are so hard digested of the bile and churlish sorte, as well may be verified that of Cicero against y ingratitude of the Romanes, saying: O how foolish a thyng it is, and labour lost, to study to doe well a-

mong

Seneca ad Lucilium.

Cato.

Cicero.

The Safegarde

mong ignorant and rude people that haue
not vnderstanding? for their nature is com-
monly to contemne suche as they are not able
to matche in wisdom and good qualities,
and to like none but suche as are of the same
condition. In this same second kind of socie-
tie of one towne, is also concluded another
more peculiar condition of brotherhoodes, as
they are termed, that also practise common
weale by their priuate constitutions, which is,
of a manner artificers & occupations that are
within one towne, to further publike govern-
ment: wherof sayth Aristotle: All peculiar fe-
lowships be as it were members of ciuill soci-
etie. For (saith he) as common vtilitie gathe-
reth menne into one company of one citie or
towne, to bee all of one priuilege together: so
all other felowships haue their proper cause
of commodities, which is the last end that the
study of common weale and care of gouerne-
ment doth tend vnto. In which degree of fe-
lowship, men are more firmly reduced to be
one, through often conference in that they come
more neere thereby to exercise the same last
end of common weale, so that the firste is not
in any wise to be impugned by securitie. The
third kind of societie, is of kinrede and alliance
which

**Priuate soci-
eties.**

Arist. eth. 8.

**Societie of
kinrede.**

whiche so strongly worketh in men, that no-
 thing can be more, to make enemies friends, &
 to unite all in one, which as it is the strength
 of families, so nevertheless by intermarriage of-
 tentimes is practised y^e spoyle of the common
 weale. As Pompey fearing he should neuer Pompey.
 be Consul of Rome, except he might haue Cato
 Iunior on his side, he was an earnest suer to
 marrie his daughter, as the next way to win
 his purpose. Which y^e wise Cato foreseeing on Cato.
 the other side, of what force affinitie might be,
 and what was his intent, made answer, that
 he was not to be catched of women; neyther
 wold he giue any such pledge against y^e com-
 mon weale. After whiche repulse, hauing to
 practise with Cæsar, and being married to hy^s Cæsar.
 daughter, it is incredible what effect it had.
 For albeit such emulation was betweene the,
 as it was impossible they should agree, when
 the one would be inferiour to no body, and y^e
 other would haue no equall: yet so long as
 Pompeys wife liued, y^e fire of discord was ra-
 ked, y^e after burst out to peremptorie malice &
 mortal wars, which was y^e cause of Pompeys
 death. Euen so y^e Romans marrying y^e yōg wo-
 me of y^e Sabines, was the way to qualifie their
 fathers wrath, or else Rome had bin aduertured.
The

The Safegarde

Societie of
frendes.

Ethic. 8.

De amicitia.

Dion.

The fourth degree is of friendship, not in flatter-
ing speeches or guylefull confederacies to
solicite euill causes, but in that familiar trust,
which by vertuous conditions & similitudes of
honest manners maketh men to be all one, and
one to loue and delight in the other, for that is
true friendship indeede. As that of Scipio and
Laelius: of Orestes and Pylades: of Damon
and Pythias, whose friendship was of vertue,
and for nothing at all to be remoned, it was
so constant and sure. Of whiche friendship it
is, that Aristotle speaketh, calling it the bry
chaine and bond of the common weale, beyng
of opinion in the same place, that the first ma-
kers of lawes, did respect the same more than
the studie of iustice, his reason is bycause if all
men were friends one vnto another, the what
shuld neede to execute iustice? for none would
do iniurie, for friendships sake, taking the same
for lawe, that Cicero speaketh of: men that are
friends in deede, will neyther do, nor wish to
be done any thing that is vnlawfull or vnho-
nest, beeing euermore affected soundly, and
without iealousie: as Dion, when one tolde
him, that Calixtus his friende wente about to
conspire his death, he wold not rashly condemne
him, but answered, I had rather die my selfe,
than

than not onlie to stande in feare of mine ene-
 mies, but also to mistrust my frendes & care-
 full to keepe them as Simonides, that being
 asked why he was so carefull of riches in his
 latter times? gave answer, he had rather dy-
 ing leave vnto his enemies, than liuing to lacke
 for his frendes, abhorring all ingratitude: As
 most obious it was in Brutus & Herennius.
 What could more picke the conscience of
 Brutus, hauing conspired the death of Iulius
 Cæsar, who loved him so entirely & bred him
 as his sonne, being thought of many to bee his
 sonne indeed, than that of Cæsar crying out on
 his ingratitude, being half dead with the daga-
 gers in his sides: *Brute, fili, fili, quid facis;* O
 Brutus my sonne, my sonne, what is this thou
 doest? Was not the ingratitude of Herennius
 most lothsome, to betray Cicero vnto death,
 who sometime had saved his life? But worst
 of all infriendship, is that of Isocrates to be no-
 ted that they who most first learne of what
 reuerence they are with good men which they
 would be familiar withall: For doubtlesse such
 as a man soothlye himself vnto, such will
 be best accepted: belies that, when the com-
 mon weale suffereth of anye such infamous
 persons, their frendes can not alwayes be with-
 out

Simonides

Ingratitude
Brutus.
Herennius.

Isocrates.

The Safegarde

Aristippus. out rebuke . And therefore Aristippus was
wont to say, nothing was so out of order a-
mong men, as that in buying and selling
they should seeke narrowlie the goodnesse of
euerie tittle, and yet had no care to examine
the conversation of such as they meante to
acquainte themselves withall . Wherefore
Cap. 8. M. Aurelius reasoning with the masters of
his young sonne, whome hee chose to bee as
frendes unto him, citeth in the same place A-
ristippus a Philosopher in tyme of Marius and
Silla; that lykened a trustie frende to a good
horse in qualities : First that a friend should
haue a little head, that is, humble conversati-
on : then quicke of hearing, to come at a call:
a softe mouth, to be temperate of his tongue:
a hard heele, to goe at neede : to treade open,
to doe good: his feete sure, to continue in friend-
ship: a bay colour, to be of good reporte : to
turne with the brydle, to bee tractable : and to
be without curbe, yf hee may goe where soeuer
the raynes of fortune leadeth. And finally hee
compareth frendes to the Mulberie trees, that
bring forth berries at such times as they feare
not the frostes of May, as vines doe, nor yet
the mistes of October, as the quinces and pea-
ches doe : euen so (sayeth hee) true frendes
come

come not when prosperitie fauoureth, and bee gone agayne as soone as fortune frowneth. These be the foure principall societies that Cicero speaketh of, which being rightlie considered, may helpe much to ciuill gouernement. And now that both the morall course of mans life, and also the priuate state of euery mans house, and in this last chapter, the right obseruation of societies, as the same by philosophie lessons may be noted, are by themselves set forth, being of themselves sufficient to commend common weale, if euery man by vertue only would bee learned without policie of lawes to embrace the same: It remaineth for want of that good and vertuous disposition in all degrees, & we begin againe, at that diuision of common weale, consisting of Magistrates and commons, spoke of in the fourth chapter, howe lawes and gouernment haue beene practised in the same, to set forth the dutie of all degrees, as out of Aristotle was also proued in the same chapter. And because none can be a good Magistrate, before he hath put on the dutie of a common person, & none can rule well before he hath exercised to obey, it is requisite first to speake of the common sorte.

The Safegarde

CHAP. 9.

Of the dutie of euery common person, and many circumstances pertheyning to that degree.

The common people is called a monstrous beast with manye heades, resembled to the fearefull Hydra; that no sooner loseth one head, but an other groweth vp in his place: noted to be still waue-
ring and inconstant, as the prouerbe is: *Scinditur in contrarium semper instabile vulgus*:
The common sorte is alwayes readie to bee chaunged from contrarie to contrarie. And Demosthenes noting their ingratitude, compareth them to the unluckie Howlet, and the Dragon: fixing his eyes on the Tower of Pallas, and lifting vp his handes, when he departed out of Athens to exile, saying: O Pallas, Ladie of Cities, why hast thou delight in three most unluckie beastes of the worlde? the Howlet, the Dragon, & the people? For these causes, the wise and sage Philosophers invented policies, and thereuppon the prudent gonnernours founded all their lawes, euen to cor-
rect

Dimosthe-
nes.

rest inhumanitie, concluding all behaviour,
wholly to be examined by the state of the com-
mon weale: the partes whereof are mutuall
loue, concord and tractable facilitie vnto ho-
nest lawes. For of pietie and weale publike,
is spoken before in the. v. chapter. And of the
first parte, how all good men will endeavour
to liue in vnitie and concord, being the only
restorative of all decayes, that malice of man
innocently to sucke the common weale, begin Of concord.
with that of Nicippa to his sonnes, lying him-
selfe at the poynte of death, *Concordia, parue*
res crescunt, discordia magnæ dilabuntur, wher Nicippus.
men agree, small things are easely made great:
where variance & discord raigneth, the grea-
test wealth that is shall soone bee brought to
nothing. As well considered, the olde father
Scilurus, loking still to dye, and tending the
hope of his children that he shuld leaue behinde
him, whē he called his. 80. sonnes before him, Scilurus.
to see a similitude, by cōparing a fagot of so
many twigs fast bound in one, to the knot of
friendship ſhould ought to be between brothers and
neighbours, making all his sonnes one by one,
to trye if they could pul out y sticks, & part the
same, which they could not easelie doe. Where-
fore to shew them an example, by violēt force

The safegarde

he wrested out but one stick of the fagot, and it
 was easie to pull out all: he cut the with that
 tyed them, and all fell asunder. So my sonnes
 (sayth hee,) if the least or yongest of you de-
 cline from the rest, or if you dissolve the
 bonde of nature and good lyking, through
 warbling and contention, you are all undone.
 The common weale is also defined, an e-
 uerlasting bodie, that neuer dyeth so long as
 the people agree, not procuring by violence
 their owne destruction. What was the de-
 cay of Rome but ciuill dissention, the am-
 bition of Cuinas: the singularitie of Silla, and
 the creneltie of Marius? What priuie grud-
 ges, mutinies, and parttakings were, by the
 falling out of Iulius Caesar and Pompey: that
 harde it was, in all the Citie one to know his
 friend from his foe? And what greater mis-
 rie can hap, than for two mens causes a whole
 towne or Citie to bee on bpore, to bee de-
 uided among themselves, and to draue con-
 trarie wayes, one to an others destruction? the
 ambitious stomacks of one will haue no e-
 quall: the contrary of an other will haue no
 manereste: the aspiring minde neuer liketh
 his estate: the disordered sorte woulde haue
 no gouernement: the riche disdaynes the
 poore:

Cuinas.
 Silla.
 Narius.

Caesar.
 Pompey.

poore : the ignorant, the wise : the com-
moner, the magistrate : and the most parte
would haue all to bee set at libertie. One
maketh comparisons, an other carveth tales,
and none repineth not to see an other prosper.
I will cite but two examples, the one of a
Roman, the other of a Lacedemon, and both
arguing a reasonable concorde of the com-
mon sorte vnto their gouernours. When the
communitie of Rome, and the chiefe Bur-
geses, called *patres conscripti*, wer at variance,
Meneuius Agrippa made an oration. On a Agrippa.
time (quoth he) whē y parts of man did not a-
gree, but every member folowed his owne
will, and exclaimed against the bellie, that it
had all the pleasure, and liued only by their
tranail, they concluded to rebell, and that
neyther the bandes should reach meate, mouth
shoulde eat it, nor throte shoulde swallow
it, meaning thereby to tame the belly : So
not only the belly, but euery member, by this
meanes began to sterue, till they were recon-
ciled againe. Which similitude so entred in-
to their hartes, to imagine what inconuenien-
ces might arise by their dissention, y the Romans
forthwith consented to be all at peace together.
The other is, of Agis vnto the Lacedemons.
L. iij, It

The safegarde

Plutarch.
in vita.

It happened (sayeth hee) that the tayle of the Serpent, rayled sedition against the head, desiring that he might an other while haue rule of the bodie, and not alwayes to bee ruled of the head. Which being graunted, what folowed? the head folowing the tayle that had no eyes, both were cleane destroyed. In the first appeareth how dangerous it is to dissent from those that are in authoritie: In the second it is plaine what peril foloweth by the vnbrideled wil of the common sorte, that would rule and not be ruled. Licurgus therefore concludeth: there is no way so safe to be out of feare of enemies, as neighbours to agree together. And then the onlie rule to comend concord, is euery man to qualifie the affectes and perturbations of his minde, that disable him to be gouerned by himselfe, or els by the counsell of others. Which bee of Cicero defined, motions of the minde eyther boyd of reason, or despising reason, or els not contented to obey reason: which motions (sayeth hee) are first caused through an opinion of good or euil, but suche opinions as deceiue many. Of which perturbations bee chiefly noteth foure, two that seeme to come of a good opinion, that is, pleasure immoderate, & lust or desire vnlawful: & two, y is feare in-

gen.

Licurgus.

Affectiōs
enemies
to concord

what affectiōs
bee.

Four prin-
cipal affectiōs.

gedes of an opinio of imminēt peril & pēsu-
 nesse, being caused by opinion of danger euer
 to be feared; doe bere the minde with imagi-
 nation of euil. Under immoderate pleasure,
 are comprehended all euil delights, withing
 other mens harmes, bragging and facing, and
 therein taking pleasure: vnder lust and desire
 are cōcluded anger, malice, a minde alwayes
 coueting, a stomack euer to reuēge, enuie, and
 fleshy lust: to fear do belong al dastard & daf-
 fish folishnesse, all hartelesse motions & seruite
 bondage of them that dare not or will not for
 feare or shouth defende a right: to pensiuēnesse
 pertyne, all that is called egritūde, disdain of
 others, grudging an others commodities, iea-
 lousie, folish pitie, sorow, superfluous care and
 dispaire. And to one of these may bee referred
 whatsoeuer is to be dispraised and reproued in
 any degree of people. Of which we may prin-
 cipally note a fewe, that deserue to be condem-
 ned in all them that will merite an honeste
 name in the common weale.

The best are tongue travellers, of claunde- Of the
 rous speeches, shamefull dissamations, uncom- tongue.
 ly taūtes, flatterie, backbiting, dissimulation
 and such lyke, that disclose the affections of a
 rankred nature, neyther honest, nor well ma-
 nered.

The Safegarde

Pithagoras.

Cato.

nered. God & nature, (sayth the Philosopher,) hath made vs. ij. eyes, & ij. eares, and but one tongue, and that to heare and to see double, or more so much as we need to speake. The same is walled in with hard teeth, bicause we shuld not overshoot our selues in words. Pithagoras learned his schollers silence first of all for five yeeres before they might speake, and all to note that we must be aduised before we talk. Cato to them that reprov'd his skitnesse & few wordes, I will speake (saith he) all that is not meete to be vs spoken, and no more. Some doe set before vs the good imitation of the Geese, that flying Westward in the time of heate, ouer the Mountaine Taurus, they holde stones fast in their billes to kepe them from making noyse, for feare of the rauinous Eagles, which danger being once passed, they crye boldlye all the way: so (say they) it is a point of great discretton, to be silent among babling persons, and besides that, to speake with oportunitie, according to that which Cato answered. And to all suche as would be heard aboue the rest, and are neuer well but carying newes, to make debate and to sowe flander, would Pithagoras haue bee giuen, not for fyue yeeres, but for euer, or els the flappe of their mouthes,

mouthes to bee made shorter . They would
 bee rewarded with that which Ptolome Ptolomeus.
 gaue Zoylus for his rayling commentaries,
 euen to bee punished for the booke hee gaue
 him: or els to be requited as Memnon did his
 Soldiour that rayled on King Alexander Alexander.
 behinde his backe, euen to bee broched on his
 speare . For what mischief ensueth not of
 babling tales, false reportes, and cloked pick-
 thanks ? Uppon light and baslie credit, and
 for wante of good aduise, the honestie, the
 wealthe and lyfe of many is estewnes put
 in aduventure : Pea and suche beginnings
 bang neuer ende, till they turne to fall on
 his necke that first offended, as Chilo sayth: Chilo.
 By euil talke wee doe many tymes forge e-
 uidence of others to endite our selues. For
 the maladie of euill speaking, with repen-
 taunce is kindly recompensed. As M. Cicero Cicero.
 threatened Salust, that inueighed agaynst him, Salust.
 his wife & his daughters honestie with mosse
 shamefull words if thou delight in flanders,
 (saith Cicero,) thou art lyke to lose thy spoyle,
 by hearing as bad agayne. And as y of Seneca Seneca.
ca, Emittere voces perungulos sepe rediturus, Som
 are so liberall oftentimes of their words, that
 they returne backe by their throates, as who
 should

The Safegarde

Of busie
Lawiers.

Homer.

Aristophon

should say, it may cost them their liues. And to such as will be carping and taunting at others, not respecting the side of Aesopes wallet that hangeth on their backs, in which their owne faultes are folded, what can bee sayde more than that of Cicero to Salust, saying: *Carere debet omni vitio, qui in alterum delicta paratus est*, he should bee faultlesse in all, that will be facing at an other. In other sort of busie makebates there are, and quarell finders, euer practising to sow discord, to stir men to the lawe, and to appeale their neighbours for every light occasion, only to straight displeasure, making their occupations not so much for gaynes, as to be auenged on him that loueth quietnesse. Which sorte of complainants should haue the fauour that Homer telleth in his Iliades was shewed vnto Mars when he came to Iupiter with his plainte against Diomedes that had wounded him verie sore, on whom Iupiter looking with a sterne countenance, I would thou knewest (sayth he) that of all the company of heauen I can worst away with thy conditions, delighting still in complayning, quarelling, and making strife. It was not any praise to Aristophon, when he bragged what good hadde he had alwayes,

in

in all his causes, bring neuer overcome at
lawe.* But it was a singular commendation
to Cephalus, whē he gloried that he neuer had
to doe with courte or cause. Aristophon was
wont to boaste that 95. times he was in trou-
ble, and yet was neuer cast in anye matter.
But Cephalus reioyced, that hauing witten
as many decades as any p^{ro} of his time, he
was neuer forced to pleade one cause of his
owne: thinking it moze to bee neuer accused,
than to be clered by a verdict. For it is harde
in any cause so to bee acquitted of the paine, but
the crime will keepe his skarre. In which de-
gree of concord, a right good example is that
of Aristippus and Aeschines, to moue men to
tolerate iniuries sometimes, and to bee recon-
ciled by themselves in causes of debate. For be-
ing both fallen out, and at variance, when a
makebate mocked at Aristippus saying: where
is now your great friendship with Aeschines
become? as one that remembred it was a iust
rebuke for a light quarell: Mary (saith hee,) it
is asleepe yet, but I will wake it againe. And
therewithall came by and by to Aeschines on
this maner: How long shall wee bee at this
pointe, shall wee not without any more adoe
be made friends betweene our selues, but make

Cephalus.

Of recon-
ciling fren-
des.

Aristippus.
Aeschines.

a

The Safegarde

a matter for every knave on his ale benche to
prate of our falling out ? And Aeschines
considering as wisely thereof also, was con-
sent it shuld be so: but yet remeber quoth Ari-
stippus, I am your elder, and yet I first sub-
mitted my selfe . True it is sayd Aeschines,
thou arte the honestest man, insomuche as all
began of mee, and thou arte contented so to
make an ende . A good lesson of humilitie
in Aristippus, for them that thinke it much a-
gainste their wisdomes or credite, to offer
peace and quietnesse, because they be the bet-
ter of reputation, the elder, the richer and
more able to bee even for an euill turne, not
respecting that suche persons shall be leaste of
all esteemed for their light behauiour. An o-
ther enemy of concord, is that monstrous e-
uil of enuie, which the Poets saie to bee ha-
tred and emulation, one of the spitefull furies
and ghastlye bagges of hell, that eateth ser-
pentes for hir meate, and beareth benin out
again: noting howe enuious persons doe
swallow one poyson and spewe out an other.
For what may be more monstrous than one
man to reioyce at an others harmes, and to
bee tormented with pining griefes to see
any thing chaunge to good ? as well noted

Agis,

Of enuie.

Agis, when he was tolde of one that envied him and his posteritie : no force (sayth he) the harme will bee his and not mine. For both his owne evil happe, and my good fortune shal put him to payne : alluding to that of Horace : *Invidus alterius rebus macrescit opimis.*

The envious pines away in hate,
To see an others happie state.

And therefore sayeth Antisthenes, Enuie Antisthenes gnaweth and consumeth the envious man, euen as the rust & cancker fretteth iron. Whose bogle anatomy a certaine Poet Describeth on this wise.

Pallor in ore sedet, macies in corpore toto. &c.

His face is pale, his corpe is leane,
His eyes are diuine of sight,
His teeth doe rust, his breath doeth stinke,
His tongue is poplined quight.
He neuer laughes, vntill it be
When other men doe weepe:
He troubled is at others loyes,
That scarce he takes his sleepe.
And other men he blames apace,
And they at him doe chide.
And thus himself he doeth torment,
And paine doth still abide.

Suche was the enuie of Themistocles, Themistocles who greened so much to see Milciades honored
for his conquest at Marathea, y he could take no
quiet

The Safegarde

Timon.

The causes of enuy

Hermodorus.

quiet rest: and being asked the cause thereof, he answered, Miliades triumphes would not let him sleepe. So full of serpentine spigots was Timon of Athens, that hauing a fig tree in his Orchard that diuers had hanged themselves vpon, and minding for necessary occasion to cut it downe, onlye to discharge his poisoned rancoz, he made proclamation before hand to exhort all that were so disposed, to make hast while the tree was standing, so loth he was to saue any mans life thereby. What should bee y^e cause of enuie, it is plain also: some for vertue and knowledge, are enuied of the leude and ignorant: Some for their birth and prowes, are enuied of the abject sorte: Some of very pride and insolent behauiour, would be cōpared to none: some dispairing through pouertie, hate all that are welthie: The good are hated of the euil, bicause they are good, and the wicked bites the lip to see the honest proper and the rancke churle that wantes understanding, grudges at euery one of excellent qualities. When Hermodorus was banished out of Ephesus, did not many of the citie confesse, it was bicause hee was enuied almost of all for his good desertes? The third affect, that troubleth concord, is anger and hottie choler, which

Of anger.

which kindeth most beaſtly furie in men, the
more to be abhorred, in that it betwayereth their
weakeneſſe, and alſo habeth the perſon to bee
made effeminate. For it ſheweth to come of
imbecillitie, in that the ſicke are more ſro-
ward than the whole: women more ſooth-
full than men: age ſooner angry than youth:
and the verieſt wretch of all more paſſioned,
than the riſt and fortunate. It is alſo more
odious, in that it abideth no meane, but break-
eth out to mercieſſe crueltie, bringing in la-
mine, ſorrowe, repentance and puniſhment.
Alexander in his wrath ſlew Oltus the good
olde father, one of his counſell, and com-
ming to him ſelfe againe, he tooke the ſword
out of his wounde, and had not his hand but
at hand, he would for ſorrow have killed him-
ſelfe. Dionyſius going to the reſtice play, and
delivering his Page his ſword to keepe, one
ſervant, ſaid of him ſo he durſt commit
his ſoul into the boyes hands: and becauſe the
boy anſwered at the queſtion, in his rage he kil-
led them both: his ſpence for making ſuch a
meane, his Page as it were for taking of the
ſame. But after his anger was cooled, it
was his continuall griefe unto his death.
Cn. Pilo gave a charge in the ſervice, that if a-

Alexander.

Dionyſius.

Pilo.

The Safegarde

my Souldiour went forth without his mate,
his fellow that carried behinde, should dye for
it, as well as if he had slayne him. A Souldi-
our went forth, his mate desired leave to seeke
him, it was denyed, and commaundement
was given to y^e Capitayne, to put the other to
death: by and by he that went forth, was scene
coming a farre off, the Capitaine stayed the
execution, and brought both before Piso: but
he swelling in anger to see his lawe broken,
without hearing the case, made all three most
cruell to dye, one bycause he was by order
condemned, the other, bycause he was author
of his death, and the Capitayne, for not obey-
ing the charge: A bloody discharge of choller,
and a thing that made him complayne even
to his last ende. Against which intolerable cru-
ell, Athenodorus having leane to depart the
Emperour Augustus Court, he gave this rule
to be practised: Say, Emperour (sayth he) in the
heate of thyne anger neuer say no: doe any
thing, till thou hast sayde on thy fingers naves
the 24. Greeke letters, backward, and for-
ward, meaning that to bridle choller for the
tyme. With some imagination of an other
thing, was the way to forget furie, and appe-
ase the heate of wrath, whiche otherwise
would

Athenodorus
lesson against
anger.

would practise violence, till it be accompanied with shame, sorrow and repentance. The like in manner was that of Architas Tarentinus, when his seruant had offended hym, saying: *Punirem te nunc, nisi iratus essem*, I woulde by and by correct thee indeede, if I were not angry. Finally, agaynste euill speaking, enuy and wrath, wee may let sobrietie, loue and patience, which betrayeth no booyes good name, nor dissembleth with any, nor yet delightes in bayne speeches that causeth quarrells, doyng good to all, and suffering whatsoever may be to preserve vntill and loue, by imitation of the good Physician that taketh not out with his patient, because hee is infected, but practiseth to cure him by his touching, so that man should beare, as though the tyme should be such that hymselfe must let the syke, and to consider the ease of another for his stone example only, counting it for reuenge sufficient to escape the lyke perill of his enemies.

Architas.

Of sobrietie to be bled.

A mischievous enemy to concord also, are the odious comparisons of such as contend for theyr private mysteries, one aduancing and defacing, or else inueighing agaynste anothers doyngs. As that of the two painters Zeuxis and Parrhasius, who

Contentious comparisons.

The Safegarde

was the better workman: likewise of Megabizes reproved of Apelles and his prentises, for his busie meddling with their science, wherein he had no knowledge: as also of the foolish Shoemaker, that would correct not onely the shoe; but the pictures hose: and that of Minnacus the smith, that would teach Stratonicus better musick, forgetting that it was a poynt above his hammers: with many such like, of dayly experience, that will bee cawping, meddling, fynding fault, and embracing other mens qualities, of a very humor onely that they smell of to stirre strife, and to make friendshippes mislike, the mean while betraying themselves into ignorance, or else most sure to get themselves slayned.

There mighte be noted also, the honest dealing and upright conversation of vertuous and chaste persons to be frequented in all their occupations, without that greedy desire of gaynes by unlawfull meanes, by disceypt, dishonestie, polling, cloked theft, or as they call it, bozow stealing of bankruptes, and shoppes, that gather mens goodes into their hands, to be after prised upon a newe agreement: and mercilesse usurers of corrupt bargayning, and pawnemasters, that have the whole

Of bankruptes.

Usurers.

whole commodities of other mens laborious
 trauelles. But somewhat thereof is sayd be-
 fore Cap. 6. onely note I the commendable
 example of Cornelius Nepos, of suche dis-
 crete manners and moderation, that none in
 Rome did not fauour him, commende hym,
 and honoꝝ him, foꝝ his integritie of lyuing
 and good behauiour, being euermore equally
 trusted and lyked, euen of extreame ene-
 mies, as in that greate contention of Cicero
 and Salust, he was of neyther parte suspected
 to be partiall, but so indifferently beloued of
 both, as hee myghte safely be familiar with
 both, withoute any kynde of ielousie oꝝ misli-
 king. And to be suche a one is to be este-
 med happie of all other. The lyke we reade
 of Cato, foꝝ hys sounde and vpright dealing
 withall menne, to be of suche credite, that it
 came to be a Proverbe in Rome: I woulde
 not beleue it, though Cato spake it, withoute
 repozte lykewise, of a iust and true man in
 hys worde and deede. Besydes these points
 of behauiour, there is also a difference of the
 age and tymes of menne to be discerned, that
 honest ciuilitie and good gouernements, may
 haue their course, by that Decorum, which be-
 seemeth eache degree in diuers kyndes, and

Cornelius.

Cato.

The diffe-
 rence of ages

The Safegarde

Specially in the private and common sort of people. For so shall youth doe nothing, that may repent his riper yeeres, neyther shall age asshame his head. Of which Decorum, so many as haue written, do diuersly define of the circumstance of yeeres: As Plato that determined the life of man to be of fourescore yeeres and one: Solon of fourescore and no more: some other of threescore and fiftene: and the Pythagoreans of threescore and tenne onely.

Theophrastus In somuch as Theophrastus as Cicero saith, was wont to accuse nature, by complaining that she gaue Hartes and Ravens longer life than men, which are creatures that do no good at all, and man that can profit him selfe and others, is soon cut off to dye.

Pythagoras. Pythagoras observed in mans life ten notable chaunges, and that was euery seventh yeere to be climatrical, or iudiciall, not without great daunger of death at those times aboue all other: so that they counted the last to be fatal. He called the first twenty yeeres childhood or boy age: the seconde twenty he called youth: the third manhood: the fourth olde age: comparing them to the foure seasons of the yeere. Varro calleth them children till fiftene yeeres of age, because they are beardless: till 30. he calles them

them Springalles or yowthes, because so long
 the body groweth: til 45. he calles them men,
 as then beeyng of best courage: from that to
 60. seniors or elders, and from thenceforth
 decrepit as it were decaying and dying: for
 then saith Alexis, men live no longer, but by Alexis.
 little and little begin to die. In this manner
 then, towardnesse of witte in childhood is prai-
 sed: facilitie to learne in youth is commen-
 ded: and the frutes of suche wisdom and
 knowledge, is the expectation of elder peeres.
 Agayne, in a childe simplicitie, in youth de-
 teritie, in age grauntie deserueth praise. Of
 children it was spoken before. As touching
 youth, nothing more disableth the floure of
 age, than licentious libertie to lewde and bri-
 bdeted lust, which in elder times was profe
 sufficiente to barre a man from gouerne-
 ments in age, whose life in youth was disso-
 lute. Of whiche damned loue, sayeth the
 Poete, It is I wote not what: whence it
 commeth, I knowe not: who sente it, or
 how it engendreth, I cannot tell, nor where-
 with it is contented: It is felte, I cannot say
 how oft, or wherefore: and finally it taketh
 rote, without breakyng fleshe outwardly, or
 procuring any intralles within: a bussher saith

Of youth.

Of loue that
harmeth
youth.

¶. iij.

Diogenes,

The Safegarde

Plato.

Diogenes, to set idle persons a worke, that
 haue not other good motions to occupy the
 minde withall. It is called vnassatiablenesse, be-
 cause it desireth fulnesse, and yet to empty it
 selfe agayne, and in that case persisteth still.
 For of fulnesse commeth repentance, and yet
 desire to be full agayne, and therefore it is cal-
 led a fire that neuer goeth out. Wherof sayth
 Plato, the hart of him which loneth, dyeth in
 his owne body, to liue in the liking of an o-
 ther, and him selfe is hartlesse, as it were, to
 gayne anothers hart: whose beginning is dis-
 ceipt, the middle is griefe, the victorie is tor-
 ment, the end is sorow, and lesse,
 because it hath no ende. Examples wherof
 be Tarquinius, killed with the loue of Aurcha
 Orestilla, euen to bee perswaded to kill his
 owne sonne: the incest of Clodius with his
 three sisters: the adulterie of Thiestes with his
 brothers wife: the rape of Tarquinius vpon
 Lucretia: the stealing away of Helene by Pa-
 ris: the shamefull and unnatural filthy nesse of
 Nero with his owne mother: and the filthy
 lust of Quene Semiramis to Ninus his son.
 And therefore sayth Cicero, *Libidinis et in-
 temperantis adolescentia, affectum corpus tradit se-
 nectuti, et inuicem inuicem inuicem inuicem inuicem*

De senect.

ner

ner lust, delyuereth the body as a prisoner to age, feeble and empaired, yea it utterly vnder-
eth many excellent yong men of greates to-
wardnesse, to be thralles to their owne appa-
tites, besydes that, that seldome it is not the
dishonour of age, tormente of conscience, and
the baske graue of a hoare head. Finally, no-
thing becommeth youth that age may be a-
shamed of. And of age, sayth Socrates, the men
more of a sound life, and a good discharge of
conscience are the good saunours and smelles of
old men. And happie is he sayth Plato, to
whome in age it happeneth, to desire wise-
dome, and to iudge rightly of opinions, for
to those, age is not troublesome, nor they lyfe
tedious. But suche, as notwithstanding they
unbrydeled youth, hath fettered them with all
infirmities of age, doe nevertheless, leane on a
legged staffe, to redouble the mischieues of their
youth with blurie of euill doing, euen in their
latter times. No maruell if the clogge of a
troubled conscience be in them to thinke of
Silenus the Poet was wont to say, *Maximum Silenus*
munus homini, a deo, non nasci proximum in pri-
mo vite limine occidere. The greatest benefice
of God vnto man, is not to be borne, the next
is, as soone as he is borne to die. In conclusio.

M. b.

both

The Safegarde

Plato.

Diogenes, to set idle persons a worke, that
 haue not other good motions to occupy the
 minde withall. It is called vnassatiablenesse, be-
 cause it desireth fulnesse, and yet to empty it
 selfe agayne, and in that case persisteth still.
 For of fulnesse commeth repentance, and yet
 desire to be full agayne; and therefore it is cal-
 led a fire that neuer goeth out. Whereof sayth
 Plato, the hart of him which loneth, dyeth in
 his owne body, to liue in the liking of an o-
 ther, and him selfe is hartlesse, as it were, to
 gayne anothers hart: whose beginning is dis-
 ceipt, the middle is griepe, the victorie is weari-
 nesse most lothsome, the end is sorow and teare,
 because it hath no ende. Examples whereof
 be Tarquinius, killed with the loue of Aursia
 Orestilla, euen to bee perswaded to kill his
 owne sonne: the incest of Clodius with his
 three sisters: the adulterie of Thiestes with his
 brothers wife: the rape of Tarquinius vpon
 Lucretia: the stealing away of Helene by Pa-
 ris: the shamefull and unnatural filthy nesse of
 Nero with his owne mother: and the filthy
 lust of Darcene Semiramis to Ninus his son.
 And therefore sayth Cicero, *Libidines a et in-
 temperans adolescentia, affectum corpus tradit se-
 nestuti*; A riotous being in youth, in all man-
 ner

De senect.

ner

ner lust, delyuereth the body as a prisoner to age, feeble and empaired, yea it bitterly vnderstandeth many excellent yong men of great towardnesse, to be thralles to their owne appetites, besydes that, that seldome it is not the dishonor of age, tormente of conscience, and the baske graue of a hoare head. Finally, nothing becommeth youth that age may be ashamed of. And of age, sayth Socrates, the more of a sound life, and a good discharge of conscience are the good sanours and smells of old men. And happie is he sayeth Plato, to

Of age.

Socrates.

Plato.

whome in age it happeneth, to desire wisdom, and to iudge rightly of opinions, for to those, age is not troublesome, nor they lyfe tedious. But suche, as notwithstanding they vnbrydeled youth, hath fettered them with all infirmities of age, doe nevertheless, leane on a legged staffe, to redouble the mischieues of their youth with hurte of euill doing, euen in their latter times. No maruell if the clogge of a troubled conscience be in them to thinke of

Silenus the Poet was wont to say, *Maximum Silenus*

munus homini, à deo, nō nasci proximum in primo vitæ limine occidere. The greatest benefite of God vnto man, is not to be borne, the next is, as soone as he is borne to die. In conclusiō

M. b.

both

The Safegarde

Cato.

both youth and age learne that of Cato maior, the course (saith he) of life is certayne, and the way of nature is one, playne and single: and euerie parte of mans life hath his tyme qualities and opportunities. In children is weakenesse, yong men are fierce, constant manhood is graue, olde age hath ripenesse. And euerie one of these (saith he) haue their due commendation, if discretely withoute lightnesse

Cicero de senectute.

Of obedience to lawes and magistrates.

of temeritie they vse the same. The other part of this Chapter, of the behauiour of a common person, is besides the loue of conoord, to obey and keepe lawes and ordinaunces soundly without cauelling or priuie breaches, and to honoꝛ the magistrates that haue the charge thereof. For that was the singular commendation of Metellus in Rome, and he gayned well thereby: For being before the iudges and pleading his cause when letters of certificat were deliuered against him for euidence, all the people then present cryed out, it was not meete that credite shoulde bee giuen to paper letters, against so honest a citizen, that had bin alwayes submisle and obedient to their lawes. The Medes and Arabians when they gaue their consent to any lawfull ordinance, would drawe bloud of their armes, and licke it with their

Metellus.

their tongues, as it were to pledge their lynes,
to perducme the same. In other places they
binde themselves by othe and promise, vppon
people to lose their priuilege, for maintenance
of the same. And in all places the common sort
are submitted to their rulers, as those that de-
sire honoz for the charge of conscience that
they take vppon them to execute good lawes,
considering the continuall care, leoperdie and
tranelles that the publike weale both cast vpon
them, through whose endeuours every
priuate person enioyeth securitie. And there-
fore sayth Cicero, *Magistratus est lex loquens,*
lex est tacitus magistratus, The magistrate is a
speaking law, and the law is a speechlesse ma-
gistrate. For whiche cause, all that commend
lawes, will easily consent vnto the magistrate
for honoz of the law. But this may suffice of
concord, and of the rest more in the next Chap-
ter.

CHAP. 10.

Of Magistrates, and their office, and certayne
circumstances belonging therevnto.

The people Massilienses are commen-
ded in histories, for the good order
of gouernement that was vsed in
regiment

The Safegarde

regiment and rule of their common weale. Which people, as Strabo sayth, had 600 chiefe burgesles, senators or Aldermen, that tooke the care thereof. Out of which number 15. were every yeere elected and chosen to be magistrates and governours for the yeere. And of the same 15, were three agayne chosen of the chieffest to bee iudges of the lawe, to keepe courtes, to heare and determine trespasses, and to iudge every man right. In the Citty of Rome, first there were 100. Senators, or Aldermen, as the Masilienses were, and of them, two were yeerely chosen to be consuls or Sherrifes, and then it came to the rule of tenne, which were alwayes appoynted to be iustices by commission, called Decemviri; and by reason of their crueltie, it was altered to Consuls agayne, and after that it came to one mans rule chiefly, and he was called Dictator, or Lorde commaunder, and as we call it, Mayor: who was nevertheless chosen but in speciall causes, and did endure but for a short time, not commonly above six monethes. These people tryed all degrees of regiment, and although they thought once, the commissioners authoritie to be chieffest, because many mens advyses are good, yet perceiving what

what trouble did growe, by one affecting
 to outcountenance the others, they lastly con-
 cluded of a single gouernement to bee the
 chiefest. In other places, certaine iurates or
 sworne men, some ten, some twelue or more,
 haue executed the like: but since proue hath
 taught, that many heads do rather endaunger
 and preiudice tranquillitie, than help the same,
 as we see oftentimes of many Phisitions a-
 bout a patient, they rather strue for prayse thā
 practise to restore health: the rule of one or one
 more, is most approved. The same is also
 prererely, and not enduring, because continu-
 ance mighte easily chaunge their conditions,
 that in steede of iustice, tyrannie should be o-
 bed. As when Fulius Caesar would haue bin
 Dictator of Rome by patte, many good men
 foreseeing what mighte folowe, they abiured
 the title, and some chose to die, and the greatest
 part betooke them to a private life. For expe-
 rience teacheth, that honor and estimation wil
 make most men to adventure honestie: and
 sure it is, that ambition is bridled in many,
 whiche would make matterles and gaynes
 of offices. If the time of their authoritie were
 not knowen and limited. As touching which
 prererely officers of magistrats, and who shuld
 be

Officers to
 be prererely
 chosen.

Caesar.

who shoulde
 be chosen.

The Safegarde

Who thou Ide
be chosen.

Socrates.

be elected therevnto, many haue alway bene
of iudgement, that simple and ignorant men
of handicrafts, without experience or know-
ledge, may not easily take the charge vpon
them, bycause they will be rash and bradlong,
without counsell, or else froward and cruell
vpon affection. Whereof saith Socrates, It is
against all reason, that in vile occupations, a
man is rejoyced, that setteth vp the same, ex-
cept he haue bin prentise therevnto, and none
indeede will meddle with the mysterie of an
other, in whiche hee is not practised: and yet
neythelesse, such vnnecessarie persons and bu-
meete are admitted to gouerne in the com-
mon weale, as neuer were prentises to wil-
dome, nor els haue exercised the knowledge
of humanitie, which becommeth magistrates.
And in another place, sayth he, As every man
would crye on him, that will enterprise to
rule the sterne of a shippe, that neuer was a
sayler: so may wee hitte at them shamefull
whiche shall put in foote to redifie a whole
people, which are without learning and vn-
derstanding. Howbeit, in so generall a ca-
se as gouernement is, every where most neces-
sary: if the want of learning in honest manners
and discret behauiour shall be supplied, it im-
mortal

y^ell^est^eth great hope of good & lawfull govern-
 ment. Such one therefore deserveth y^e calling,
 as he hath practised obedience, to trie his wor-
 thyneſſe to cōtroll others, as the old saying is,
Qui ſervire non didicit, imperare nescit, No mā
 can be skilfull in ſegniorie or office, that was
 not firſt ynder rule himſelf. And therefore moſt
 laudable orders haue obſerved to prefer men
 by degrees, & none to be a iudge before he hath
 learned iuſtice: for ſeldome will the peo-
 ple favour his authoritie y^e hath not proved his
 meetneſſe by inferiour ſervices, or elſe ſome o-
 ther waies by good & cōmendable qualities: he
 muſt then be an honeſt & civill mā, more care-
 ful for cōmon weale, thā greedy after gaires:
 not ſo wiſe in his owne conceit, as ſubmiſſe &
 tractable to heare the wiſeſt: not impugning
 good cōſeill, not of manifeſt evill report, not a
 mayntayner of quarrels, & laſt of al, not vnex-
 pert in the cuſtomes of his countrey. Suche
 kind of men are allowed to be magiſtrates
 for wāt of y^e lerned & ſkilful, & wil exerciſe to
 gouverne by y^e aſſiſtance & cōſeill of y^e lerned.
 How far deceyved then are they, y^e make no
 more a doe to chooſe a magiſtrate, but to find
 him anciēt & welthy, though he lack al things
 elſe beſides: and thē whē his courſe cōmeth to
 be

The quali-
 ties of a ma-
 giſtrate.

The Safegarde

Of age.

be chosen, let him haue his course, though it be to bring all good gouernement out of countrey. But as for age and antiquitie, if that bee as we may reason very well, that as elder men, for their wonted ripenesse of wisdome, and greate experience, deserue sometimes to be esteemed aboue yth: so they are to be condemned utterly, that thinke the only name of age, or the bare shew of a hoare head, can deserue the same. To whome may bee applied that of the wadded head in the caruers shop, *O pulchrū caput, parum ingenij habet*. O goodly head, but no wit at all: and so: O comely

**Of wealth.
Diogenes.**

auntient man, but fit for no seruice in a common weale. As for their riches, they cannot alter their simpl^e life, as well noted Diogenes, calling such men sheepe with golden fleeces, noting the to be sheepe till notwithstanding.

Cicero.

who are comonly had in admiration, saith Cicero, because many men do feare the, for their riches, and for nothing else. And therefore An-

Aristhenes.

tisthenes made a iust comparison betwene such unlikely felowes, & the asses that shoulde learne to drawe a plough: as who shoulde say, it was hard to haue them meet to gouerne, if they had none other qualities. And so did De-

Demonax.

monax, when he sawe the iolly swaine sit in his
skarlet

skarlet gown, wel pleased to behold himself in
 dignitie, Sir (saith he) this robe of yours was a
 sherpes coate before it came to your back, & yet
 it was a sheepe still: noting þ his faire gowne
 could not hide his rusticke manners. It is not
 therfore age onely, nor riches þ may cal a man
 to þ place wher he is to minister iustice, though
 both doe serue greatly, and should accompany
 that calling: grauitie of yeeres, to further cre-
 dite, and necessary wealth to honour authori-
 tie. But if it were so that men might be dis-
 charged from seruice of the common weale
 when they are called, then doubtlesse none
 would wishe to aspire to offices, if they could
 wisely iudge the quietnesse of a priuate lyfe,
 and the continuall daunger of Magistrates,
 besides the rebukes and discredite that folowe
 the one more thā the other. Of which Isocrates
 noteth thre causes, measure of wealth, terror
 of lawe, and free admonitions where they are
 deserued, which doe often quaille the common
 softe: when as abundaunce makes the Ma-
 gistrate lue in securitie, boldnesse makes him
 offend, and fewe will presume to warne him
 of his faultes. Againe (saith Solon,) nothing
 is so harde for the Magistrate to doe as take
 in hand, as to content and please all men:

Non should
 desire offi-
 ces.

Isocrates.
 Thre cau-
 ses to
 make a pri-
 uate man
 to doe his
 dutie.

Solon.

R.

Where-

The Safegarde

Chrisippus. ~~which~~ of Chrisippus giueth the reason: Because (sayth hee,) that which seemeth iustice to one, is thought vnlawfull of an other: and moreover if thou iudge rightlye, thou offendest men: if vniustlye, thou displeasest God.

Pompey. And therefore the noble Pompey (as one most weery of his honour,) cryed out to see the crueltie of Sylla, and not knowing howe to behaue himselfe in the dignitie that he had, saying: Oh perill and daunger, neuer lyke to haue ende: howe much better had it bene for mee to haue ben borne a poore mans childe, if the case bee so that I shall neuer leaue these cares of regiment, to leade a priuate

Demosthe- lyfe agayne? Of which Demosthenes was
nes. wente to saye: that knowing as hee now did, what enuy, feare, false surmises, and imminent daunger a man of dignitie was to looke for, hee would rather choose to suffer death, than take vppon him to determine matters of iudgement, as a Magi-

Antigonus. strate. And therefore sayde Antigonus of his regall power: A noble, but yet an unhappie crowne, if a man knewe howfull of trouble thou arte, hee would not take thee vp, though hee founde thee in the streete. But what then of them that swell in ambition,

bition to purchase authoritie, and make of ambitious
 friends, and bestow giftes to get them of- bus seekers
 fices of rule and power? Is it (thinke you) of offices.
 for any thing els but to ouerlooke his aduer-
 saries, or els to make it gainefull? For
 who will buye preferment, except he meane
 to sell iustice? whiche Iulius Cæsar Marcellus Cæsar.
 touched in the person of Sylla, menacing to
 make him sell his authoritie, as manye sicke
 officers doe at this daye, to bee knowne in
 their office. Thou doest well sayeth Cæsar, to
 call it thine authoritie, because thou bough-
 test it with thy money. And therefore Plato Plato.
 thought none that are solicitors or canpassers
 for dignitie, meete to haue the same, but onely
 such as vnderstanding well the charge, were
 vnwilling, and must bee compelled therevnto,
 hee thought were most lyke to gouerne
 well. As Cato Iunior in Rome, that albeit Cato.
 his frendes did vrgē him to stande for the Tri-
 bunen office, yet would hee neuer yeelde his
 consente therevnto, till hee was fullye per-
 swaded which waye hee mighte serue to
 profite the common weale. So far was that
 good man from affectation of rule & desire of
 being torie. And finally, it is not y bare name
 of a magistrate saith Boetius, that bringeth De consol.
 Phil. li. 2.

The Safegarde

The office
of a Magi-
strate.

Offic. I.

Of care of
common
weale.

Adrian.

Cleon.

honour but the admiration of his vertues: It is not the rounge or the place, sayth Aristippus to King Dionysius, that doeth nobilitate the person, but contrariwise the Magistrate maketh the office to bee honored. The second part is touching the office and behanour of a Magistrate, which Cicero setteth forth in two degrees: he must remember (sayth Cicero) that he beareth the person of all the people, as one in whom all men are made one, and also to preserve and execute the lawes that he is charged withall. To the first belongeth the weightie consideration of his charge, insomuche as all men depend on him for iustice, and all haue referred the uttermost of all to him alone: for which cause hee must forget his priuate being, so long as his office lasteth, and should more esteeme publike vtilitie than his owne lucre. Of which Adrian the Emperour was wonte to say, the common weale must so be ruled of Magistrates, that men may vnderstand how to gouerne all mens matters, and not their owne: and so should they be to euery one, as rightly they may seeme affectioned to all alike. And as Cleon sayth: all bondes of friendship must be broke, least iustice shuld be hindered for friendships sake. So that by the good example of Alexander,

Alexander, both eares may neuer bee stopped, ^{Of admi-}
 nor yet both opened to euery tale, but that one ^{for hearing}
 may heare the accuser, and the other to listen ^{matters.}
 with lyke equitie to him that is defendaunt,
 without temerarious beliefe or hastie iudge-
 ment vpon euery light reporte. In other de-
 gree is that which Cyrus was wonte to say: ^{Of huma-}
 In one of authoritie all men doe accompte ^{nitie.}
 more notable the praise of humanitie, than po-
 wers of manhood, for the one (sayth hee,) hath
 bene hurtfull, but humanitie hath profited e-
 uermore. And therefore Cicero sayth, *ad quin-*
tum fratrem, gubernator ante omnia facilita-
te vtatur aduendo, lenitate in respondendo. ^{Cicero.} A
 gouernour aboue all things shall vse facilitie
 or easinesse to be talked with, and humanitie
 or gentlenesse in his own aunsweres, as Titus
 was wonte to say, I would shewe mee suche
 a one vnto the people, as I would haue them
 vnto mee. Wherein neuerthelesse suche discre-
 tion must bee vled, as the proverbe bee not be-
 rifled, *nimia familiaritas parit contemptum*, too
 much familiaritie maketh men to bee disday-
 ned: and most of all to shun that nipping kind ^{Of moe-}
 of scoffes and tauntes, that sheweth lightheesse, ^{king magi-}
 as it is proued in Scipio Nasica, to his greate ^{strates.}
 rebuke, when he stode for the office of Aedilis ^{Scipio.}

The safegarde

Of being
his owne
iudge.

Augustus.

Nero.

Tiberius.

in Rome, when he had repulse thereof; notwithstanding his great desertes, through a company that were gathered only at a scoff that hee gaue a thickskin clothe, feeling bys harde hande; and merilye asking whether hee wente on his handes or his feete: so hatefull it was, to bee mocked by one of his estate. Neyther is it the least thing that a Magistrate hath to care of, to bee circumspecte and heedfull in his owne causes. For as it is not tollerable that they shoulde bee neglected of leude persons, so sometymes seueritie maketh him to bee condemned of vnworthinesse. Of which Octavius Augustus was wonte to saye vnto Tiberius, I must not bee offended with any man that reporteth euill of mee, bicause it is enough that they can doe mee no hurte. And Nero though hee were bozne to be cruel, yet hee reuenged fewe reproches done vnto his owne person. And therefore Tiberius was wonte to say, that it shoulde be lawfull in all free Cities, for euery man to speake his conscience: which may very wel be graunted as well towarde the Magistrates, as other inferior persons, so as the same bee done with modestie, and rather of honest motions, than

than of wilful disobedience, and manifest contempt. The seconde degree that Cicero speaketh of in the Magistrate, is, to preserve and execute lawes. Whereunto Aristotle noteth three things most necessary, the right vse of iustice, to upholde the ancient custome, and not to neglecte the common people, as it were, to bee deuicd from them. As touching the first, sayeth the same Aristotle, In vain should good lawes be made for iustice sake, if the Gardias that haue y charge thereof, care not to execute the same. In which point it is principally required, that the Magistrate be suche one, himselfe as his example may make many to imitate his well doing. For so sayeth Socrates, a man shall best deserve when he studieth to be suche a one indeede, as he would willingly be accompted. Wherof Alphonsus was wont to say, that Magistrates ought to excell private persons in honest life & conversation, as much as they doe in worshippe and calling, meanyng that no name prevaileth more with the common sort, than the good example of their rulers. Which was so carefully practised of Marcus Antonius Pins, that by manye secreete deuises, priuie disguisings, and conference with simple men, bee

Three things necessary to execute lawes.

First.

The example of the Magistrate

Socrates.

Alphonfus.

Antonius.

¶. iij.

was

The safegarde

Plato.

was enermore inquisitive what the people thought of him, and howe the reporte went of his behauiour, to the intent that he might reforme and amend whatsoever was amisse: well considering that of Plato, where he saith, that euery fault in the Magistrate, is a double offence, and his very example is a greater death worse than the crime. For so sayde Isocrates, in vaine it were to enioyne lawes to the common sort, if the elders would seeme to violate the same. Whereof sayth Claudianus concluding both degrees in the person of the magistrate,

Tu ciuem patremq; geras; tu consule cunctis
A citizen and Magistrate,
thou both thy selfe in one,
Sho rule thy selfe and others too,
that publike cause and not thine owne
May seeme to be thy care:
if ought thou charge and thinke it best,
Begin the same, and willingly
then followe all the rest.
To doe the lyke, and thinke no thorne
to giue their free consent,
To all wherewith the Magistrates
themselves are well content.

Cato.

Whereuppon Cato the elder was wont to say: that he was easie to be entreated to pardon any offender sauing him selfe. He pardoneth

neth himselfe that is not sorry for his faultes :
 and he doth punish himself that carefully con-
 sidereth wherein he hath offended . Was not
 that most notable of Augustus Cæsar, that ha-
 ving made an acte for the triall of adulterie, Cæsar.
punisheth
himself.
 and the punishment thereof, by due forme of
 procelle to be executed: and being put in mind
 thereof by a young man, on whom he freely
 ran with violence, for that hee offended with
 Iulia his daughter, the young man crying out,
 O Emperour why doe you not prosecute the
 lawe in this case provided, but so partially
 iudge of your owne cause : at which the Em-
 perour being astonied for his rashnesse, in vio-
 lating the lawfull order of iustice, though it
 were his daughters case, and though the pro-
 ceedings of lawe were long and tedious, yet
 he so repented him, that hee refused to take his
 supper, that night for sorrow? a worthy acte of
 so noble a prince . And as famous is that of
 the father, that in the lyke case spared not his
 owne childe, that by lawe was to haue both
 his eyes put out, and though hee was his only
 heire, and continuall intercession was made
 for his pardon, yet hee would not so acquyte
 him, but to satisfie the lawe, and somewhat to
 spare his childe, caused him to lose one eye, and

The Safegarde

he payde the other himselfe. A rare deuise of a
iust iudge to paine himselfe to haue the lawe
performed. When the Macedonians came to
Torquatus, Rome, & complayned to Manlius Torquatus
agaynst Decius Siluanus his sonne, which was
grount of Macedonia, the father requested of
the whole counsel, to haue the hearing of the
matter himselfe: which hee had two dayes
together, and finding his sonne guiltie, wa-
red not to iudge the uttermost against him;
and expelled him the Citie with his owne
mouth. A zealous Justice, offering himselfe
against nature to condemne his owne sonne,
whose fault hee might haue some waies
concealed.

These are necessary poyntes of iustice, in
the person of himselfe, his children and frendes
whatsoever they bee: and so it is requisite al-
so, that he iudge and execute lawes with equi-
tie among all the people, wherein is required
good discretion without partialitie, either for
feare or fauour. And lyke wise severitie, as the
cause asketh without rashnesse, without ha-
stie credite to euery pickthankes tale, or whis-
perers complaynte, but with indifferencie
and due hearing of the circumstances of the
matter, without choler or furie. For what
more

Of the
Magis-
trates.

more disability iustice than unequal degrees
of lawes, when one shalbe extremely handled,
and an other not touched for the same cause, as
was in Rome in Domitians time? And what
decayes the power of lawe, but that which
Anacharsis was wonte to saye of Solons
lawes, that hee lykened to the spiders webbe,
which hampereth little gnattes, but letteth
out the great Waspe? Of rash Magistrates,
what made Ptolome to pronounce Apelles a
traytor, but the bastie holde which hee tooke
of Antiphines false reporte, which made
him afterwarde to grieve full loze? What
made King Philip of Macedone to con-
demne Macheta, but his slumbering over
to heare the euidence: whereof, when the
prisoner appealed to heare it waking, he was
ashamed, and counted it for errour? Of par-
tiall Magistrates, iust was the rewarde of
Cambyfes, that caused the Judges skin to be
stripped of his bodie, and to hang for a re-
lique at the bench, where his sonne shoulde
iudge after him. And to be remembred also is
that of Alexander Seuerus, that so abhorred to
see the, as meeting them in the streets, he wilbe
readie to skrat out their eyes. Of whom sayth
Chilon, gold will trie them, as the touchstone
tryeth

Of partial
Magi-
strates:

The Safegarde

Demades.

tryeth golde. For they procure officers to sell iustice, and were it not in hope of gaine, they would neuer wish to rule. As Demades noted a great many in his time, almost as many as are now, when he sayd to Photion at dinner, that he marvelled howe hee governed the comon weale & yet faced no better: as it were touching y magistrates, y by colour of office do practise bribery, extortion, excessive fees, & oppression, to enrich themselves by the spoyle of others. Briefly for the right vse of iustice, Plato admonisheth Magistrates not to bee more mindefull of their owne commodities, than the common weale, nor so to fauour one man as he may seeme to forsake an other, further than equitie requireth: whereof sayth Cicero, An honest man wil die rather, than to halte in eyther of both.

Offic. 1.

The second

The seconde thing that Aristotle speaketh of, is against deuises of new condition, contrarie to the auncient regiment of times passed: wherein it behoueth, so to uphold customes, that no good custome bee lightly aduulled, so to corroboreate lawes, that no reasonable lawe be made frustrate: and so to mainteyne liberties, that the common libertie of all bee not made seruitude. For sayeth M. Aurelius to the
schole

Aur. Ca. 43

schoolmasters on his childe, as hee laye on his death bed: the common weale is in very ill case where the gouernours be of many intentions, and of diuers mindes among themselves: For while one would haue that which liketh him, an other is of an other fanisie: one imagineth one thing in his braine, and the nexte condemneth his opinion: some will inuent one thing or other, to be counted singular and wiser than other: some will not yeelde unto opinions, because nothing is good that cometh not of themselves: the common wealth in meane while is disperaged and sacked, the people are deuided, and the Magistrates haue reproche. What was els the decay of Rome, but the often chaunge and exchange of gouernement and customes within the Citie? what was euer moze perillous, than the altering and innovating of statutes among the Romans, so long as the tribuneshippe of the people was suffered of the senators? And the people of Crete neuer wished other vengeance to such as they would curse, but to haue their heades occupied about new customes, as the next way to confound their regiment. For which continuance and strength of lawes, without any aduulling and repelling but in
urgent

The Safegarde

Pausanias.

urgent causes, the people of Sparta are remembred : among whom Pausanias being asked why the Spartaniens might alter none of their auncient lawes, Because (sayth he) lawes ought to rule all men, and not at every turne of them to be ruled: Insomuch as Demarchus

Demarchus

Of chaunging lawes and liberties.

being a King among them, answered to one that demanded the cause of his exile: Because (sayeth he) our Spartanian lawes are mightier than our Princes. Howbeit nothing maketh agaynst the necessary chaunging of lawes in all maner lawfull causes, so that the common weale of all bee respected, and not to folowe the idle inuentions of a fewe. And in lyke case for the maintenaunce of liberties, as the whole charge of the Magistrates is to execute all that toucheth auncient freedoms, so that no libertie bee empayzed : so no doubt, to bee contented with no more, as though nothing were needfull which their auncestors haue not done and procured, is rather of an abiecte and seruile minde, than of a prudente and politike gouernour. For common weales in the beginning began of necessitie, and fellowshipes of people and liberties encreased as they might, and many neuer came to ripenesse and perfection : the masse of all, shall want

want moſte neceſſarye growthes, and none ſhall not alwayes approve, that honeſte liberties and greate authorities ſafelye bleſſed, muſte needes aduance the common weale, if ſo bee wyſe. Magiſtrates wil bee armed with good counſell and reaſonable policies thereunto. The thirde rule of Ariſtole is not to neglecte the common people, but to winne their fauoure by ſuche honeſte entreatie as becommeth Magiſtrates, and to ſortie good gouernement by their neceſſarie ayde, as though nothyng maye ſafelye be eſta- bliſhed without them. For ſo ſhall they rule with eſtimation, and the people wil be better contented to obeye. Of which ſayeth one very wyſely, There is no wall ſo ſtrong, no Tower or Caſtle ſo well fenced, no garde or garrifon ſo ſafe vnto the Magiſtrates in authoritie, as the hartes and loue of the bul- gar people. Who if they once perceiue that they bee not accounted of or eſteemed, but onelye throughe greuous taxes, impoſiti- ons and ſubſidies layde vpon them, are made instrumentes of ſeruyce in the com- mon weale, and nothyng els: they mur- mure and grudge, they priuylge and ma- liſiouſlye conſpire together, vtterly to ſubuert

The thirde

tran-

The Safegarde

tranquillitie, and neuer haue other ioye, but to haue the bittermost of dispaire to be turned on them. For which causes the Romans graunted y^e people an officer called Tribunus Plebis, as it were to bee their speaker, and such a one as without him no lawe should be agreed of to binde them, though all the Senate thought it good, and all to make them tractable: which had bene a notable policie, if the same had not growen at last to extreme securitie. An other practise hath bin of Magistrates, to win the people by humanitie and gentlenesse, by liberall rewardees and hospitalitie, by ciuill and orderly behaviour, all which doe worke muche in the hartes of simple people. For sayth Xenophon, all creatures that want reason, are by two maner of wayes made obsequious to their gouernours, by feeding and cherishing, as the brutish sorte and couragious horses, or els by stripes as the stubborne Ass: but man is made louing and obedient most of all, by liberall giftes and rewardees. In which the noble Scipio Africanus so excelled, y^e walking about Rome, he was neuer readie to go home to his own house, befoze he had relieved the necessitie of those that were in neede, and bestowed some maner benefite on the good de-

serues

Of humanitie.

Lib. de re familiari.

Scipio.

deserts of other, wherebye made him greatly
 to be honored. The Emperour Titus was
 so bountifull of nature, that if he chaunced to
 sit at supper, and could not remember some
 good turne that hee had done all the day: he
 was wonte to burst out, *Amici, hodie diem
 peridi*, Alas my friendes, this day is cleane
 lost. And so woulde Iulius Cæsar vse to say,
 Then doe I wake riche, when most of all, I
 bestow somewhat on them, that haue wel de-
 served. Lyke vnto that of Alexander, beyng
 asked how he did enriche hys treasure: marie
 (sayeth hee) by beeyng liberall to my people.
 Agaynst whiche gathering and polling the
 common sort, with paymentes and amercia-
 mentes, as they do commonly practise, wherebye
 profer them selues to offices, and canuasse and
 giue hie to be chosen rulers, Tib. Cæsar hath
 a fitte comparison: for beeyng counsellèd by
 the collectors to raise a tribute: no sayeth hee,
 a good Shepheard wil sheare hys sheepe, and
 not vncase them cleane: meaning, that al-
 though by lawe sometimes they were iustly
 taxed, yet in no case extremities should be
 used, but all things by greate discretion and e-
 quitie to be asserred, that offices myght waxe
 to be counted odious. Finally and last of

Titus.

Cæsar.

Alexander.

T. Cæsar.

D.

all,

The Safegarde

Of punish-
ments.

all, a magistrate ought to bee circumspect in corporall punishmentes, and to measure the payne by the circumstance of the trespassse. A man of free condition and submitted to civillie, abhorreth the chastisement that open malefactors will deserve: and hee that is contented to be subiect unto order, may not bee corrected for euery lyght offence. On the other side, common trespassses may not be tollerated by foolish pitie, or to gayne a name of gentlenesse and patience, least the same should animate offenders, and besydes that, to breede contempt: by good moderatiō of iustice, both sorts are easily amended, as the Poet sayth.

Oderunt peccare mali, formidine pene,

Oderunt peccare boni, virtutis amore.

The euill sort for feare of payne
will hate for to offende:

The good alone for vertues sake
their faulces will eake amende.

Fabius.

And therefore Fabius Maximus aduiseyth a ruler, first to assay his people by sayre speeche and gentle warnings, before hee handle them with rough correction: for (sayth he) it is most absurde to make wilde beasts tame by meate, to breake hoxes with soft riding, and to haue
Dogges

dogges familiar without chaynes or stripes,
and yet to set vpon man that of himselfe is
reasonable, with extreame crueltie. Howbeit
the magistrate must be like the good Physitian,
not to minister medicine longer than he ho-
peth for health, but eftsoones to seatche the
griefe, and to cut off the putrified partes, least
the sounde members shoulde bee also cor-
rupted.

Of punishments among the Romans were
eighthe kindes, amercciamentes, fetters in close ^{Eight manner}
prison, open whipping, shamefull penance, ^{punishmentes}
talion, that is like for like, banishment, bon- ^{in Rome.}
dage, and death. But death was seldome
used, saving for wilfull murder: whyche Saba-
cus Kyng of Egypte neuer vsed at all,
but suche as were condemned, wente al-
wayes fettered to be slaues for all menne, so
long as they lyued. Howbeit Draco ^{Draco.}
punished all thyngs by death among the
Atheniens, and therefore his statutes were
called bloody lawes.

The manner of death was also diuerse in
many places: in Athens they were popso-
ned, in Rome they hadde a lawe cal-
led Pompeyes lawe, that commaunded
Parricides to bee fast sowed in a Sacke,
D. ij. with

The Safegarde

Plini. lib. 9.
cap. 23.

The punish-
ment of La-
cedemons.

Of too much
lenitie.
Cato.

With a liue dogge, a cocke, an adder and an
ape, and so to be drowned. Plinie also maketh
mention of one Pollio, a Romane Knyghte,
agaynst whose crueltie Seneca inuerygeth,
whiche kept close poudes or stewes of greate
Lampreyes, for the purpose to deuour con-
demned persons. T. Hostilius commaun-
ded Metius Suffetius to be torne with wilde
horses. Perillus deuised a brassen Bull, into
whose holownesse menne were put aliuie o-
uer a hote burning fire. In Rome also was
the Gibbet deuised for Cateline: in other pla-
ces the wheele, and many other mortall tor-
ments: and among the Lacedemons, Lacon
deuised for all offences, no more but to goe a-
bout the market, confessing his crime, as it
were to scourge hym selfe with his owne
tongue. But of the manner of punishment,
what shoulde he sayde more, than the same to
be executed duely, that iust lawes haue enac-
ted, for the qualities of euery mans offence,
folowing the opinion of Cato, and good dis-
cretion of Cæsar, in all suche kynde of iudge-
mentes? Cato was wonte to say, he had ra-
ther offende in the foule vice of ingratitude,
than to be remisse in punishing notorious of-
fenders, and further, that all magistrates de-
serued

serued to bee stoned of the people as open e-
nemies, that myghte prohibite offences and
woulde not, bycause suche passioned paci-
ence, doeth encourage many to offende
thzough licence. And agaynst cruell iudge-
mentes was Cæsar vsed to haue in mynde,
and say, It is a wretched companion of age,
the remembrance of cruel gouernement: mea-
ning it must needes bere y conscience, that of
knowledge hathe offended, or else agaynst
nature hathe done most hatefull tyrannie.
Whiche bothe defaultes of cruell hatred,
and affectioned lenitie, was so well prou-
ded for by Solon among the Athenians, that
the manner of the Areopagites was to heare
all causes in the nyghte onely, to the ende
that they myghte not by anye occasion re-
garde the parties, but earnestly respect the
matters brought before them. Of suche se-
nere integritie were they iudgementes,
withoute any manner affection, bayne pitie,
or fauoure, more than the very cause it selfe
required. But now of suche as shoulde be
ayding and assistant to the magistrates, for
furthering and setting forth of iustice and
lawfull gouernemente.

Of corrupe
iudgements.

The manner
of the Areo-
pagites.

The Safegarde

CHAP. II.

Of Counsellors and assistants vnto Magistrates, with the circumstances of the same.



Iargus calleth counsellors, champions of the common weale, being as it were one body, seeing with many eyes, working with many hands, and traueilling with many feet, being many of the wisest consenting in one, and consulting together, and all for the good estate of all the people. For sayth M. Aurelius, in matters of counsell, one will shewe the inconuenience, another the perill, another the damage, another the profit, another the remedie. The necessitie of whome, Demosthenes well declared to the people of Athens, when the Macedonian King dissembled peace with the Citie, and offered truce, so that they would be deliuered vnto hym the same Demosthenes, and nyne other of the chiefeest burges-

ses

Aur. cap. 46.

How necessary
counsell is.
Demosthenes.

ses that were most of all against him in the
 common councelles. For the matter being
 rashly debated, it was concluded anon, that
 better it were, to put them hence in danger
 of theyr lyues, than the whole Citie else to
 perishe. But Demosthenes, to discover
 King Philips policies, and to reprove theyr
 rashe consente, On a tyme (sayeth hee) the
 Wolfe promised with the simple Shep-
 herdes to haue a truce, and not to skir-
 mishe any more with the Sheepe, so that all
 the mastiue dogges that were the watch-
 or theyr flockes, shoulde bee deliuered vp
 (as pledges of peace) vnto the Wolfe. Whe-
 che being done and agreed vpon, the
 Wolfe (as one out of all feare) made grea-
 ter spoyle than euer before, and in steede of
 a Sheepe or two at a tyme, made hauckes
 of more than hym selfe could eate, and
 setteth vpon the Shepherdes too at last.
 Euen so, sayde Demosthenes, the King
 forseeing that no way is so easie to in-
 fringe the liberties of the Citie, as fyrste
 to bname them cleane of councill, with-
 oute whiche the people are unruly, and
 that I and my brethren of the councill
 D. liij. do

The Safegarde

be trauell all that wee can, with our aduice
and policie to cut off his practises, what mar-
uell is it, that first he would begin with vs, to
make the way of destruction easie to you all?
In like manner, the lewde and vnbrideled
sort, are neuer more inuentine and busie by
false suggestions, flaunderous reportes, and
hatefull diuisions, to vndoe the knotte of vni-
on, that politicke magistrates by connect haue
deuised, and to discredite the policies of the
well deserning, than when they most of all
do profer themselves, as may seeme, to leade a
quill life. And therefore in no case are they to
be spared in a common weale, that are merite
for so necessarie charge: whose worthynesse no
doubt, consisteth in manner wholly in theyr
good example of honest and orderly lyuing,
as well as both the magistrates: and surely a
lyght offence in suche a one, hurteth muche to
offende the simple. For whiche causes, in the
seventh table of our auntient lawes, sayeth M.
Aurelius, it is wrytten: we commaunde more
griuous punishment to be executed vppon
one that is preferred for his wisdom, for a
light offence done openly, than vpon a secret
and priuie murder. And then (sayth he) O iust
lawe and iust men that made it: for the man-
clear.

They must
giue good
example.

Aur. cap. 7.

dear killeth but one in his furie, but hee that is
 elected to counsell, and credited to bee wise,
 sleaeth many with the euill presidente of hy
 owne example. And thereupon the Emperour
 noteth, how Chrissippus in y^e time of Traiane,
 was aboute all, commended for his great dex
 teritie, and sharpnesse of witte among the se
 nators of Rome, and not without his greate
 desertes: and neuerthelesse the same was vt
 terly obscured in his odious and euill lining.
 Pea sayth Aurelius, in all perlaunces and ses
 sions for the Citie, his words were so sweete,
 and his speech so reasonable, that often times
 the people woulde heare him thre houres to
 gyther: his counsell was so graue and lear
 ned, that he easily wonne all men to bee of his
 opinion: his behauiour in y^e capitol of Build
 ball and Senate house at all assemblies, was
 withoute correction, and yet most shamefull
 at other tymes was the infamie of his per
 sone: As all Rome sayth he, was abashed to
 heare his eloquence, so all Rome and Italy
 were flattered with his wordes. Suche
 manner of menne therefore shall doe little
 with their counsell, except they may be credi
 ted for their good examples. And thre spee
 all cause the learned do obserue that wite of lers.

Chrissippus a
 learned coun
 celler, but an
 euill liner.

who shoulde
 be counsel

D.b.

common

The Safegarde

Of aged men common weales, why the aged sorte shoulde
seeme most indifferente to discharge their cal-
ling: that is, the proofe of experience in things
passed: due consideration of the tyme pre-
sente: and a good understanding of al that may
folowe. The firste commeth of continuance,
by remembryng what they haue hearde and
scene all the whyle of their beeyng: whyche
hath greate similitude of ripenesse: as Homer
noted Agamemnon in his preparation a-
gaynst Troy, rather to wishe for tenne Ne-
stors, that were very auntient fathers, to as-
sist hym with counsell, than many more Aia-
ces or Vlisses, that were yong and hardie, to
be his Souldiours. The second and third are
appropried most of all to age, for the stayed
gouernemente to moderate and rule affecti-
ons, that in elder menne most commonly
appeareth, whyche Cicero calleth the very
imbecillities of youth and yong men. And
the same is the very wisdom that the Em-
peroure so highly commended, saying: Wor-
thy wisse men ought to thinke on all that is
passed: they ought to bee carefull of the same
that is presente: and with greate studie to
provide for thyngs to come. Howbeit the
towardnesse of youth deserueth preferment,
if,

Homerus ili-
ad. 1.

Aur. esp. 8.

if, as Paulus Aemilius was wonte to saye, Of wise ydg
they proue them selues in manners, wise men.
dome and discretion olde, although they bee
yong in strength and yeres, in power and e-
stimation. For vnto many, nature hath gy-
uen hir giftes, to some education hath profi-
ted, others by learning are made wise, and
the vnlearned are taught by obseruing hy-
stories: whiche Cicero maketh equall to that Of histories.
whyche is before concluded of age. For (saith
he) they are witnessles of tymes, the gouer-
noures of life, and life of remembraunce,
the lyght of truth and very reportes of an-
tiquitie: that is, they tell what was long be-
fore, they make comparision of honest lyuing,
and they conferre the successe of many pra-
ctises, euen as muche as aduizement and
graue yeres may lende to ripe and perfect
age.

A counsellor then beeyng suche a one, as Of rashnesse
it is declared, graue, wise, and of hyke con- to be auoyded
uersation to hymselfe. The most worthy
counsellor Marcus Cicero in his Oracion that Cicero pro M.
he made vnto the counsell of Rome, for M. marcello.
Marcellus that was endited before the, Nun-
quam temeritas cum sapientia commisce-
tur: nec ad consilium casus admittitur:
Rashnesse

The Safegarde

Offic. I.

Three rules
in consulta-
tion.

First, to coun-
sell well.

Rashnesse (sayth he) must not be mingled with wisdom, and matters that come in counsell may not be left to fortune. Against whyche vnadvised rashnesse, he giveth a lesson in hys offices, saying: In every deliberation or counsell to be holden, wise men must not go further than their knowledge or reason, to admit and consent to things unknown, as though they were certayne and known: for that is, to proue their securitie: as another saith, which argueth extream follies, to saye, I remember it not, I was otherwise occupied, I vnderstood not what I did, when any man casteth in their teeth what inconuenience they counsell groweth vnto. Wherefore three principall rules are necessarie to rule a counsellor, that is, to counsell well, in whiche is concluded, whether it be lawfull that is proposed, by what meanes it maye bee, howe necessarie it is, and for what cause. The seconde is, to iudge advisedly by good opinions: and the thirde to execute duely all that is concluded. In the first circumstance of the first rule, whether it be lawfull or no, It may sayth Cicero after Panctius, be doubted foure wayes: one, if it be honest or no: Secondly, if it bee profitable or no: Thirdly by comparing the honestie

honestie and profit of the cause together : to
which he addeth two comparisons more, that
is, of many honest things whiche is most ho-
nest, and of many profitable things whiche
is most profitable, concluding at last in bys
two bookes of Offices, that whatsoever is iust,
is profitable, because it wrongeth none, and
whatsoever is honest is also iust, because they
are both of vertue, and therefore nothing is
profitable but is not honest, so that if it swarue
from honestie, though it seeme for profit, it is
not to be admitted. As wisely sayd Aristides,
when Themistocles p[ro]posed in the counsell
house at Athens, to burne the Lacedemons
shippes at Cytheum, saying, *Perutile quidem,*
sed minime honestum, It seemeth profitable
sayd Aristides, but in no case honest, and ther-
fore I consente not thereunto. Another cir-
cumstance is, by what meanes it may bee :
for though it bee neuer so honest or profit-
table, it is not lawfull indirectly to worke
the same. Whereof sayeth Aristotle, though
it bee good and honest, perhappes it may bee
practised by a sinister devise, and therefore he
is no lawfull counsellor: that studyeth for the
best, except he prescribe such a meanes as best
of all becommeth. The third circumstance

Nothing is
profitable
that is not
honest.

Arist. eth. 6.

is,

The Safegarde

is, howe necessarie the same may be: for except bygent causes shall compell, it is not good to inuent newe lawes. For sayeth Licurgus, As in Phisicke no newe medicine may be ministred, if the olde may cure: so if the olde lawes may serue, it is not good to publishe any other: as well obserued the Lacedemonians, that in fourteene Kings raigne, neuer altered one iote of Licurgus lawes, but only studied to maynteyne the same. And Plato in hys Bookes of common weale, gaue counsell to the rulers, to charge the people with very fewe lawes, excepte they were waightie causes: bycause (sayeth hee) where officers do execute their offices iustly, fewe may serue, and where they doe contrary, they abuse of lawes may vndoe the common weale.

Plato. 2. republic.

The fourth circumstance is of the cause: and that is, to consider for what reason, and to what ende the same may bee, as it is reported of Marcus Antonius Pius, that hee neuer yelded his consente to any Proclamation or statute to bee diuulged, before hee had heard sufficiently of others, or else could well conceyue him selfe some notable argument and meaning why the same was worthy to be

Antonius a discrete counsellor.

be determined. These foure circumstances of the firste rule, to counsell wel, beeing this considered of every man by hym selfe, it may folowe, that many menne shal be of diuers opinions, and many questions maye arise, and thereof controuersies to growe, while every man would defende his owne conceyt.

And therefore the seconde rule to iudge aduisedly, is in lyke case to bee well examined, that is, to consider thoroughly of the cause, and then to reason the same with credite: as Cicero writeth to his sonne: *Te in consilium adhibe, tecum loquere, te audi*, Call firste thy selfe to counsell, talke with thy selfe, and heare what thou canst say, that is, speake not rashly all that cometh in thy brayne, but be aduised what to speake, and speake it to thy selfe, as it were in thy mynde, before thou impart it vnto others.

Agayne, bee not so tyed to other mennes opinions, that thou wilt bee easily ledde, eyther to consente with the greatest number, or else to subscribe vnto thy friende, before he hath spoken. For that is, bothe to make vpp the number of voyces, or else as a Cypher to fyll the Romanes of emptie places. Three thynges therefore
be

The Safegarde

be herein to be considered, that is, to heare others: to speake boldly, and not to wauer and be chaunging. For the first, all men are not of one capacite, all are not of lyke experience, and that which seemeth hard to one, is easie to another, some are learned, some are without knowledge. And therefore conference helpeth much to make men vnderstand, and the rather by orderly proceedings, with modest communication, and without confounding one mans speeches with another, whiche are endlesse, and out of order. As it was the lawdable vse in the council of Augures in Rome, euery elder in course to disclose his opinions, and none was barred first or last to giue his iudgement, sauing all kept silence, whyle one alone was talking. The seconde thing is, to speake boldly, when a man is to be heard, that is, to vtter the conscience freely withoute dissembling or feare, as it was the iust commendation of Cato, to be praised for his sharp confutation of Cæsar, and his cloaked objections, when they consulted about the punishment of Lentulus, and other the complices of Catelines conspiracie in Rome, not fearing so much to lose his fauour, as he was carefull to speake the truth. And worthy was the aunswere of wise Pelopidas

Cic. de Sene.

Pelopidas to his wife, to be she would perswade him with bitter teares, to giue ouer the common weale, & to respect rather his private life, **O** woman (sayth he) common persons haue only to care for themselves, but such as are elected to preserve the Citie, must not so muche regard their own afflictions as to bitter the truth boldly, though it were to lose his friends, and to be made an enemy. The third, is not to waver and be chaunged without iust cause, from contrary to contrary, but to be of such staled iudgement, as no giftes, or faire speeches, nor yet the same opinion in the credite of an other, shall easilie remoue him. It is not ment to animate any in their frowarde follies of perseuerance in stiff opinions, without the warrant of reason, nor to approue the singularitie of such as endure still wise in their owne conceipt: but only to stay men, to abyde in good and sound counsell once set downe and pronounced. For what was euer so great shame vnto Demosthenes, as when he counsell'd the Atheniens against all the Orators besides, not to receiue Harpaxus into the citie, being fled from King Alexander, when hee requested the same, for great compositions to be made therefore: and yet was he bribed for same night, for one cup

Pelopidas.

Bribery in
Demosthe-
nes.

The Safegarde

of golde and twentie talentes, to recant all that he had sayd, and to new guilt his tongue for money? Insomuche that on the morrowe comming altogither againe for the same matter, hee came as one diseased, with his bosome and necke close wrapped in furies and warme clothes, as it were not able to speake a worde of all that he had sayd the day before, craving pardon, for a griefe that troubled him in the throte. Which corrupt dealing being espyed, the same was fared presently with a greate fine, and his body sent to warde til the money was payde. The thirde rule is, for execution of those things that shalbe concluded in counsell. For the same is as necessary, as bothe the other are profitable. In which is first of all to bee heeded, that all decrees and orders be set downe plaine in fewe wordes and brieft speeches, not intricate and harde to bee understood, not obscure or amphibologicall, to bee wrested into double and doubtfull meanings, least they may bee interpreted more to catch and snare the ignorant, than els to direct and reforme offenders. For so mighte the obstinate inuent to slander good lawes, to be enacted with paynes, only to emptie the purses of the people. For remedie whereof,

Three
rules to ex-
ecute mat-
ters of coun-
sell.

out admittants gave the custome to publish
such statutes with all breuitie & familiar spee-
ches, by writing them in plainer tables, to be
fixed and hanged up in open sight, to be read:
and considered of all forces and at all times.
It is also to be observed in the charges & pe-
nalties of all statutes to be made, that all may
be alike amerced, and all persons equally tax-
ed & assessed, y^e y^e same may not be a warning
only in y^e rich, which is punishable in y^e poore
y^e one go not free, toher another is amerced y^e
none of power or authority be favored to op-
press & pervert such as are but simple & poor
labors are, denied to execute justice, and to in-
terdict offenders, and all degrees after one ma-
ner, except you wil say, because the magistrates
& wealthie persons do often make the poore and
common sort to suffer violence, therefore dis-
cretion and good discretion should sometimes
tolerate that in the simple, which in the better
sort & Magistrates the lawes for justice & ex-
ample sake ought to be iudged with al seueri-
tie. For that is good humanitie, to qualifie ex-
treme rigor where fortune calleth down. Spe-
cially, to execution of such lawes pertaineth y^e
Aristotle, where hee writeth although many
things are requisite by lawe to be con-
sidered.

Ar. eth. 6.

The poore
to be fauor-
ed rather
thā the rich

Ar. eth. 6.

The Safegarde

Of slack-
nesse.

Wherby it is necessarie to execute the
same with speede: for to spende occasions,
and to procrastinate from day to daye, doeth
make good practises by malice of the wicked,
to be peremptorie presented: and sometimes
it groweth to great mischief, that at first was
easie to be cured. As when letters were sent
from Athens to Archias gouernour of the Po-
learches, dettining the reasons of certain out-
lawes conspired against him, he laid them vnder
his pillow all night, saying: Because I
iudge they are weightie matters, I will bad-
nessen them till to morrow: But before the
morning his death was concluded, and his
life taken from him. If Cicero in his consul-
ship had not speedily put in practise the order
that was taken to suppress the rebels, as soon
as Fulvia the Paramour of Q. Curius had dis-
closed the intent, hee had the same night bene-
fitted in his owne house, and the whole Citie
sied. These be the three rules that may direct
a wise man to doe good service in counsell for
the common weale, and to make him merite
the good reporte and estimation that longeth
to behauiour in so weightie a charge, that is:
first to be instructed to counsell wel, by con-
sidering if the thing be lawfull, by what so-
nest

best means, how necessary, and for what cause
the same should be done. The second, to image
advisedly by examining himselfe with disor-
der before hee offer his opinion rashly, and
to heare others without disorder: speeches of
babbling and iangling about other matters,
or els confounding talkes of many causes, or
one anticipating by hastie sentence to cut off the
desire of an other, at his tongues end, which
is most preposterous. And besides, he shalld
others to speake boldly and without affectation,
and last of al, to be steadfast and staid in sound
opinions, without turning and returning,
speaking and unspeaking, affirming and de-
nying, for fauour, hatred or reward, as it was
the beginning of C. Caesars oration in the for-
mation of Rome, when they late about, about
Greeks rebellion. All men sayth hee, (most
worthy Senators) that are to consult of doubt-
full causes, must first abiure all hatred, friend-
ship, wrath and pittie. The thirde rule was, to
be well advised howe to haue such matters
executed in due order for equitie, right under-
standing, & good opportunitie & is in effect the pub-
lication of all causes. Without which quali-
ties, and good moderation, they were not bled
in other times to be allowed for the common

Salust.

The safegarde

Of me cal-
led more
for substance
than witte.

would to be chosen to this calling, untill civil
customs and harmful securities began to pre-
ferre men without desert; only for their inhe-
ritance, wealth or antiquitie: as first it was
comparred by Marcus Cicero, in the counsell
chamber at Rome, when he sawe a newe fel-
lowe called to bee a Senator, only for the
great possessions that when then were descen-
ded to him, whiche before that time was the
simplest of an hundred, accounted of no cre-
dit, an ignorant Ase, without knowledge,
without wisdom or discretion: but now, on
the sudden was advanced in al hast, because
he was rich, and his indigence as earnestly
desired as the best. I sayth Cicero, scoffing at
his unworthynesse, and chaunging that of the
Poete, *trains facilitas, quam vocant sapientiam*,
interculus hercule, quam vocant sapientiam,
Will you see (sayth he) the wealth of
yonder man, which is called wisdom: for
the Poete sayde, Lo the dexteritie and ready
witte of him which may be called wisdom:
but Cicero to note that his wealth was
all the witte hee had, or els the onely cause
why he was preferred to wiser mans counte-
changed the same wordes *per ironiam* to a
very satyre. But to the good aduise of choo-
sing

Sing councellers, maye bee referred the same
 that is sayde in the last Chapter of Magi-
 strates. Only is to be remembred for conclu-
 sion of this parte, that councellers whiche are
 chosen to be many in one, and to consente in
 one together, as is shewed in the beginning
 of this Chapter, should love one another, and
 to be of moze firme friendship than any com-
 mon persons, knowing that concorde in them
 is unitie in all degrees, and a little variaunce
 among them setteth discorde and contentions
 euery where. They must also counsell for
 conscience sake, without emulation, without
 singularitie, without vaine glozy and ambi-
 tion, bearing one with the want of an other,
 and counselling one another, for the authori-
 tie of gouernement and common weale. For
 priuie grudgings and secret emulation of such
 mooste specially doeth interrupt the good suc-
 cesse of all that is taken in hande. And that
 made Aristides to confesse in Athens of hym-
 selfe and Themistocles, beeyng both of the
 counsell, except (saith hee) you can burie
 vs bothe together, so long as wee lyue
 youre Citie can not prosper: noting that
 the emulation and contention betweene
 them, woulde neuer lette the one bee

Of concorde
 in counsell-
 lers.

Of emu-
 lation.

The safegarde

submitted to the other, to be ioyned in one opinion or consent. Inſomuch that Ariſtides was ſaine to diſſemble oftentymes, and to fauour his inuentions, with the ſpeeches of other men, and that to win Themistocles to determine aright, which otherwiſe of a berye humour to alter and contend, hee would neuer doe. Was not the ſame lykelike vniſſitting to the perſons of Cæſar and Cato to contend for nothing, with many light words, whē they had the ſerious buſineſſe of the common weale to enſeate vppon about Catelines conſpiracie, and all for the ſight of a letter written to Cæſar and deliuered in the court? For it was offence vnto them both, & both deſerued ſharpe rebuke therefore. Of a berye enuious ſurmise, Cato urged him ſtil to ſhewe the letters openly, alleging them to be of high treaſon, & that they came from Cateline, about whome they ſate in counſell: and Cæſar as tauntingly caſt them at laſt vnto him, to peruſe them ſecretly: wherein was conteyned nothing els, but commendations from Cato his owne ſiſter Seruilia, written vnto Cæſar that ſhee would come to his bed that night. What ioye it was for him to reade them, who iudgeth not? And whether he had not cauſe to blame his owne follies,

Cæſar.
Cato.

follies, as y^e iust hyre of such unseemely taun-
 tes, the end proued, that much abashed his wis-
 dome to thinke thereon. And last of all be- Of keeping
 longeth vnto counsell, that when matters counsel.
 haue bene debated, and all parties agreed,
 all should bee folded vp in obliuion, and every
 man to be secretarie to an others speeches. For
 howe shall men consult soundly, that may not
 disclose their conscience? How shall men vster
 conscience, if they be not free to speake? What
 freedom is it, that should after ward come in
 charge to him that spake it? And who shal not
 be charged, sometymes with vntruthes, where
 matters of counsel come to common bearing?
 It is not therefore the least poynte of vnwor-
 thinnesse, but utterly to be condemned in graue
 & wise men, to be talkatiue about measure, in
 any the common affaires of publike weale, out
 of such places as they are to be decided, least o-
 dious suggestions & inward surmises should
 take holde, to foreiudge a great deale worse
 than the cause destruethe. But of all suche Of blab-
 secret felowes, as are sicke with keeping coun- bing coun-
 sell til their wines or their frendes bee made tellers.
 priue of the newes, Antigonus was wont to
 say: I loue such felowes for nothing els, but
 for bicause they are so full of wordes and
 P. h. carying

The Safegarde

Chilo.

tarying newes, as commonly they will disclose howe they haue disclosed their felowes secretes : As though hee shoulde say, they are the more to bee tolerated, bycause they can not dissemble their faulte, whereby the suspicion might runne on other men . For as Chilo the Lacedemon and one of the seven wyle Greekes was wonte to saye, when many are priue of the matter, whosoever he be that uttereth the same, it can not bee chosen but manye shall incurre suspicion of the crime . And therefore when Lysimachus profered to Philipides whatsoeuer he would aske, nothyng els, O King (sayeth hee) but to keepe from mee thy secretes : Well considering the greate daunger that commonly folowes so harde a charge . Wherein most

Papirius.

notable was the greate wisdom of Papirius being but a childe, and for his to wardness and sobyltie suffered in Rome to waite on his father in the Senate, who on a tyme being earnestly solicited of his mother to knowe the newes, as women most of all are inquisitiue, and weying his dutie to be compared to the vnrasonable intreatie of his mother, deuised very wylfully howe to satisfie his humoz, and yet to discharge his dutie also:

many

mary sayth hee, to stop his mouth, a lawe was made to day, that euery man might haue two wiues at once if he would: by meanes whereof, he procured many matrones to goe with him to the hall the morrow after to take exceptions therunto, and the practise of Papirius appearing then unto the Senate, by iudgement of all deserved great commendation. Many also may we read of, who endured sharpe threatenings and violent taunts, to reueale the counsell of others, and yet could hee nothing moued. How much more carefully then is he same to be required in the ministers of the common weale, whome no threats or cruell menaces should perswade to utter the least incommoditie that toucheth the vniuersall state of all? But now of such things as chiefly & most of all by Magistrates and common prouision are to bee stalled in euery state of common weale, for the gouernment of the people, and credite of all them that are charged therewithall, as in the next Chapter.

CHAP. 12.

Of certen necessarie things to be stalled, that belong to gouernement.

Where

The Safegarde

Of religi-
on.

Heathen
religion.

Here the godly discipline of the church
is set forth by good and reasonable reasons,
is by the Magistrates carefully preferred, it is
the greatest warrant of all, that God is ho-
noured and duly served. And where the
Magistrates and people embrace religion, no
doubt but morall policies, even for religious
sake, shall worke in all degrees. Three things
therefore are incident, to the exercise of religi-
on: uniforme order, observation of dayes and
tymes, and the extirpations of schismes, and
diuisions. For the first: what almost an
onlye care, what greate treasure, infinite
expences, and costly ventres, bestowed the
Payntines and Heathen people to set forth
theyr gorgeous Temples, their Oracles and
prophecies? What authoritie and admira-
tion was ascribed to the Augures, Flamines,
priestes and other intendences aboute their
superstition, as of Apollo at Delphos, the
Temple of Ianus and Saturnus, the vir-
gine Vestalles in Rome, about the keeping
of the holy fyre, and canonizing of pictures,
and such lyke? And yet all was incredulitie,
and very vnbelief. Howbeit they had some fe-
ling of heauenly things, that moued their ig-
norance so to doe. For they imagined some
excellent

excellent nature, exceeding all other, they considered an inward imperfection in themselves, and devised to sacrifice in danger and necessity, as is sayd,

Primus in orbe Deos fecit timor.

Fear was it, that first of all

the gods on earth did make.

And as religion hath the name of Religion of often reading, and continual exercise about the scriptures and traditions: so the same of Paganisme is termed superstition of Superstes, that is to be y only living of all that are deade. For sayeth Cicero Lib. 1.

de natura deorum: They prayed all their lyfe and made offeringes, that they children might lyue to them for ever, and thereof came they to be called superstitious worshippers. But among Christians whose religion is depured holie, without superstition of Iudaisme, without monstrous beliefs of the Gentiles, and without impietie of Mahomet informing men to all godlinesse and to abhor vice, there is one onely God of all, and one vndoubted trueth, that teacheth one vniforme religion. It were then foule absurditie, and more than irreligious and godlesse, to deface or neglect y decret & severely

Christian religion.

being

The Safegarde

being of religious places, of churches & oratories; which the beathen of ignorance so highly tendered, and in Rome, by the officers Accidiles was provided for: and as manifest securitie may it seeme lyke wyse, as the other is absurde, to commit the care and function of holy things, to men of manifest euil fame, of lesse wisdom than knowledge, of worse example than the worst, without learning, without maners, without gouernement: vntill most shamefully to slander, backbite and euill entreate, with priuie gendgings and open contempt, the state and calling of the godly and skilfull, that labourerth painefully to doe their charge. This is therefore one poynte of a good Magistrate to be looked vnto, touching the obseruation of holy things to be disposed, and the credite and estimation of the ministers of the same, against miscreantes and euil persons to be defended. The seconde is for obseruation of dayes and tymes of religious exercise: which howe much more effsones the same is daylye or timely bled of any people, the more is their prayse vndoubtedly that gouerne there. And to such godlesse ones, that at no tyme more than other will reclaime them, and bestowe their vocations to serue God as well as their own

Of keeping
holidayes.

owne deuises: let the prescriptions of heathen
 people, that most religiously obserued their fe-
 stiuall dayes, and the down prostrate Turke
 that neyther walketh, galetb or talketh in the
 Sinagoge, and the wilde monsters of mans
 lykenesse, that most deuoutly kneele to the sun
 and Moone, and bowe their hartes to adore the
 starres, bee presidentes of example, to gather
 them in reuerent sorte to hallo the Sabaoth
 with prayer and contrition. Which is, briefly
 to execute the godly prouissions by good lawes
 haue deuised for reformation and amendmēt:
 that is, to frequent learned sermons and lec-
 tures, on those dayes aboue other, as it was
 the maner of the Jewes at such tymes most of
 all to haue the day spent in solemne resoning
 and disputations of the lawe, to take awaye
 doubtes. And as the godly in their often mee-
 tings and conference, bestowe their leasures
 to aske questions of the learned, and to bee re-
 solved in opinions, I meane not by carping
 intentions and unreuerent speeches, but with
 zeale and simplicitie. In steede whereof,
 what can bee more odious than that which
 hath bys nomination wholly to bee employ-
 ed to wanton meetyngs and molle dam-
 nable occupations? So that howe wic-
 kedly

The Iewes
 Sabaoth.

The Safegarde

kedlye soeuer the rest of the weeke is vnder
the holys daye is sure to bee mooste shame-
fullye spent of all: The first institution wher-
of was not so muche to giue the bodie reste
from corporall labours, as to enioyne y^e minde
to contemplation, and all maner of spirituall
exercise, which godly vse of hearing, reading,
and conference with others in matters of re-
ligion, is no doubt not only the instrument to
instruēt men vnto righteousness, but also the
very meanes to oblite many foule and enor-
mious vices that idlenesse is acquainted with.

Of repres-
sing schis-
matikes.

The third parte is for the extirpation of schis-
mes and deuilsions: That Magistrates shuld
bee carefull to suppress beaue heads, that spurn
against authoritie of good proceedings, by de-
fending errors, or inferring new opinions to
trouble vnitie, or to maligne the truth, which
subuerteth in the end all maner gouernement.
Of which sorte are some that assemble them,
and are conformed to orders, for nothing els
but to renewe their malice, by catching some
scape out of the preachers mouth, or els to dis-
semble their cloked profession by an apparance
of good intent, because they feare the lawe: and
some more pharisaicall than the rest, to bee
knowne religious pilgrimes of the best cloth,
haue

haue shifting businesse from place to place, to excuse their absence, masking vp and downe about mischiefe, to deceiue the simple, and to get a name of learning, where they may bee welcome: in the meane while mispising treasons, inuenting slaunders, propbanning religion, and hoping to haue at last the great alteration of the common weale to be turned on them. . And suche are the Magistrates most bounden to sitte and trie without feare or affection, if they tender the good preservation of lawfull gouernement, and to set straight orders & Decrees to suppress such obstinate offenders, & last of al to take heed there be no skarre in their own example, to animate y^e hardinesse of other. Next vnto religio, are comon scholes Of scholes & learned tutors, to apparrell good regiment, that youth may so be nouelled in vertue from tender yeeres, as their life may profit the common weale in times of more maturitie and ripenesse, knowing that education worketh all in all degrees. By reason whereof, the Egyptians had farre more consideration, to haue all framed to good letters, than to any manner of activitie and manhood, and they least of all esteemed them, that most of all excelled not in some notable kinde of science or knowledge.

D.

And

The Safegarde

The librarie of Alexandria.

And therefore their King Ptolome made the great librarie of Alexandria to bee the school-house of all posterities: and in honoz of the Muses and Apollo, he made solemn games of great price, for the learned to frequent and vse. And so hath antiquitie every where provided to preferre the learned aboue others, and to gayne them estimation, onely to animate youth the rather thereunto, as Cicero sayth, *Honos alit artes*, It is the onely hope of honor, that maketh menne to seeke knowledge: for things that are not esteemed, all men do contemne. The good foundations then of scowles, are the bridle of youth, the beginning of civilitie, the way to good order, the doctrine of dutie, the Pilote of policies, and the only furniture of a common weale. For it is the ready meanes to unite learning and gouvernement together, wherof Socrates speaketh in the choosing of a Magistrate, and the uttermost of all felicitie, as Plato sayd: The be they most happy, when learned men doe governe by knowledge, or els governours are carefull to embrace learning. The contrarie wherof appeareth, where simple felowes that never came where knowledge groweth, are preferred to be rulers, by that they bitterlye condemne the travellies of the learned. The third regarde is touching

Socrates.

Plato.

touching all common provisions for the ne-
cessities, profit and credite of the publike state
of the people, to bee rightly and duly mini-
stered. All which, because they depend on the
common banke or treasure, which is called
the housewife of the common people, the same
is principally to be regarded. Wherefore sayd
Demosthenes, *Pecunia reipub. sunt nervi civi-*
tatis: the treasure of the common chamber,
may be called the sinewes or marow of the
citie. So sayth Aristotle, without such profits,
augmentations, and reuenewes, no common
weale is perfite. In which pointe Cato Juni-
or was so vigilant in Rome, that after hee
came to bee treasurer, and well considering
howe many wayes the citie was to be charged
for common necessities, and perceyuing that
the mitigation and releafe of paines and for-
saitures practised by Sylla for the trespassors
and regratores, had greatly abated their sub-
stance of the Exchequer, besides that it gaue
encouragement to offenders, through hope of
fines and issues to be pardoned and saued by
the wonted manner: Sylla Cato in a short
space, by his care & diligence reformed those
evill customes of lycence, and greatly enri-
ched the office to his enduring fame. And that
was by his continual attendance on the court

Of common
provision.

Of the com-
mon trea-
surie or
chamber.

Demosthe-
nes.

The seve-
ritie of Ca-
to mooste
worthie to
be followed.

The Safegarde

both first and last to execute the lawes straitly without affectiō. Whose example by great reason, may be transferred to euery state of cōmon weale, both to enure iustice and ciuilitie, and also to make a lawfull gaires therof. For though lawes bee not made to confiscate the wealth of others into y^e cōmon coffers, yet if peines and forfeitures be not duly taxed, what peace or gouernment can such lawes procure? And therfore seueritie gaineth double profit: it redresseth euils, & winneth wealth, to bee employed to goodnesse. Here might bee described euery perticular plotte of common charge, as they that write of publike weales, set forth by name, for the commodious being, honestie and necessaries of towne and Cities, as beautiful shewes, theatres, balles, iudgement places, prisons of punishment, almshouses, market places, high wayes, watercourses and suche lyke, for the ease and vtilitie of the people of all conditions, and for the aduancement of ciuilitie and iustice, if the necessitie therof were not better knowne, than the commendation is well considered. In which pointe, if our ancestors had bene so carelesse, as wee at this day are, that skarce will adde to their beginnings, nor yet mainteine their good deuises, the good-

The great
care of an-
tiquitie.

ly monuments and fair buildings of publike
prosperities, the only spoiles whereof remaine
with vs, had neuer bin begun. But if Cicero
were wont to say of priuate persons, *Dignita-*
tem viri, auget adiū pulchritudo: the estimati-
on of enery man is the greater, for his fair and
costly houses: which therefore made Lucullus
to excell in stately and sumptuous buildings.

Then how much more haue Magistrates to
consider, that the negligent decay of common
furniture y beautifieth a whole towne, great-
ly shall discredit and deface the liberties and
state of such a people? But most notable is y
of elder times, that the Magistrates neuer cea-
sed of their owne proper charges, euery one to
adde yeerely to others inuentions, to benefite
such common causes, til all was persited with
immortall fame. The fourth thing to be pro-
vided for, is the tranquillitie and peace of all
the people, to liue together in vnitie and safetie
euery degree in their calling, and euery one by
theire owne labours, that all men may possesse
their properties to themselves, & none to liue
by the spoyle and sweate of other mens tra-
uels: All which is nothing els, but to execute
y good prouisions of lawes & iustice, to chastise
notable offenders, which is in deed, y whole

Cicero.

In olde
time euery
Magistrate
was bene-
factor in
some thing

Of peace.

The safegarde

Idle persons to be cut off.

Dracoes
lawe.

Cato.

A worthe
lawe.

contentes, of all that euer good gouernment in the charge of Magistrates can comprehend. And amongst all, nothing is more necessary to be seuerely seene vnto by officers, than to abridge the idle and vnmannered lyfe of them that contemning all lawes, as it were to set all at libertie, doe practise no way to profite themselves and others, but rather by idle imaginations, are euer studying and inuenting, by deuising slaunders & carying tales, to some debate and disoord among frendes and neighbours, in hope to gaine some praye at length, by thir trauelles to relieue their idlenesse, which kinde of people by the lawes of Draco deserved death. For they were accompted robbers and no better, of whome may very well be verified that of Cato and Columella, saying, *nihil agēdo, homines malè agere discūt*, by idlenesse and doing nothing, men practise to doe euil: As the Philosophers haue obserued, that the minde of man is neuer idle, but occupied still with some imagination, so that say they, if the same bee not about some honest exercise, it must needes be some notable euil. The Egyptians therefore had a lawe, that at certen tearmes euer yee all the people appeared to giue a straight accompt howe they liued, and were

were by interrogatories thereof examined: to
wobly if they answered butrue, or els were
condemned of vnlawful lining, (for al was vnlawful that was not some wayes profitable)

A notable
example to
magistrats

they were presently condemned vnto death.
And Cato being Censor of Rome, so greatly
abhorred idlenesse, that in examination of sus-
picious persons, he first vied to feele their hands,
to the intent that if they appeared full of knots
and harde, they should be rather fauoured: but
if they were softe and smothe, except they were
well knowne, they were hardely punished
for a small fault: for it was a common pro-
uerbe, He that hath good bandes, hath good
conditions. Hee therefore compared the lyfe
of man to the similitude of yron, which the
more it is vied, the more it vernisheth and
shineth: but if it lie vnoccupied, the rust
consumeth it all to naught. But how far vn-
lyke are the tymes now, to the Egyptian ma-
ner, to giue account of liuing? or els to the
seueritie of Cato, that tryed all by the bande?
For as for other reckoning, the loyterers ma-
keth none, except they accompte with Galba.

Cato.

Galba.

¶ parasite, ¶ affirmed such to liue in most secu-
ritie, that liue idely, because idle persons are not
examined of idenesse, wher others must be ru-

Idle per-
sons at all
libertie.

led by order to doe all that they doe. And for
 shewing forth of hands, what can it proue, as
 long as a livery coat, or some pretie toy of a
 gamester, or els a wandring warrant of li-
 cence to seeke abroad, is well inough allowed?
 Was there euer more neede for officers to re-
 gule of unlawfull games, that feedeth idle-
 nesse, & consumeth thrift? Was it euer so need-
 full to abridge the haunte of them that make
 drinkeing an alehouse exercise, and drunkenesse
 a fellowshippe? Were there euer such harbou-
 roughes of idlenesse, as tippling houses and ta-
 vernies are now adayes, to set all sorts at liber-
 tie? The vice was so great in K. Edgars time
 that he travailed, through all the realme to sup-
 presse the same, leaving not about one alehouse
 in a towne, except greate Bozoughes, and so
 measured the vse of quaffing, that beordained
 cuppes with pinnes about the sides, to be mar-
 kes for drinkeing, under great forfeitures not
 to exceede the same. But sure there are more
 alehouses and greater quaffing now, than in
 Edgars tyme, and yet lesse noted for, except it
 bee, to know where is best drinke and the most
 haunte. The charge therefore of Magistrates
 is, to reforme suche abuses to the first intent,
 that was, for wayfaring travellers, and not to
 serue

K. Edgar.
 Anno. 959.

serue for idle hosties: & in stead of such shame-
full places, to erect necessary skourges, to com-
pell idle persons vnto labour. And on the other Of almes
houses.
side, as idlenesse is punishable, so the case of the
poore and indigent is by common prouision
most charitably to be considered. For that was
the reason, that Plato so inueighed to exclude Plato.
all sturdie beggers out of his common weale,
that the needie & succourlesse might bee more
plentifully relieved, by whose president it is,
that Magistrates doe specially appointe infe-
riour ministers and toymen thereunto. But
how many are so hard harted in many places,
that rather than they will spare vnto the poore,
will yet scoff, as Plautus did to serue their pur- Plautus.
pose, saying, to giue vnto beggers is nothing,
for it doth no good at all, because the almes pe-
risheth, and his life is prolonged to further mi-
serie? How few so good examples doe Ma-
gistrates giue, as Cymon the Athenien, that he Cymon.
sed to haue his Sergeant almoner, to follow
him with money to bestow on charitie where
euer he went? For as a wise man layeth: eue-
ry priuate mans abundaunce is y^e loued good
of the poore: and therefore Licurgus opinion
was, that nothing should bee priuate to any
man, that an other needeth. In stead of which

M. b.

good

The Safegarde

good and charitable disposition of the people, as of all in general is required, y^e most worthy actes of them that first erected hospitalles, shall be eternized in all ages: and the good imitation of all that followe the lyke example, must needes declare a christian soule, and merite praise. Whose great purchases and farmes, unknowne wealth, and sumptuous houses that they leaue behind them to their heires, can neuer so renounce the name of that posteritie, as such godly workes shall merite praise for ever. And I thinke we may dare to saye, that if the charitable Deedes of auntient tymes, which of simple deuotion were bestowed on religious vanities, to breede up idle cloist^rers and abbey felowes, had bin more carefully employed after this sort, to susteine y^e poore: the great indignation of God, had not throwen downe their houses, in which much pover^tie was relieved, to make dwellings for oppressing landlordes in steede of almes giuers: of which the poore so much complaine, when they see the shattered walles that yet do stand by gods iudgement, to remember all ages of so greate abuse in the one, and ingratitude of the other, the religious for prophaning his name, the poore for theyr unthankfulnesse, that

that the ende might bee to all people the
witness of his vengeance. And last of
all, as touching that other provision, where
no certain salarie is knowne to refresh the
poore, but is uncerteinly gathered by the
wisdom of discrete Magistrates: No
doubt but good counsell and perswasion may
set such lawfull orders, as the very motions of
charitie may easily further so godly a pur-
pose, which so farre perteyneth to the dutie of
Magistrates, that the reliefe of the poore, excee-
deth the rest of all their charge. An other point
for sauegard of the people, is the circumspecte
attendauce on the peace, that no quarrellers
and common barretters be licensed or suffred
to trouble the quietnesse of other that trauell
with praise to susteine their being. And there-
fore chiefly, our auncestors deuised heedful and
priue watches in the night, to suppress the fit
occasions of them, that chuse then most of all
to practise their malice and mischieuous in-
tents, by hope to scape unpunished. For when
was the utter destruction of Rome preten-
ded by Cataline and his complices, but in
the night to bee sette on fire and burned?
When was there counsaile to murder
Cicero, but even in the deade tyme of the
night.

Of night
watches.

The Safegarde

Cambyles.

might, when all the people were at rest? When doe theues, housebreakers, barretters, adulterers, bntyfts, and idle persons, exercise their gracelesse deuises, through backe & bywayes, by most sinister & shamefull practises, so much as in y^e night season, whē none do think of daunger? And then all priuie meetings and basards are concluded, watchfull trespassors and vntamed youths raunge abroade, and such as slepte all day in Tauerne, walke waking all the night to seeke their praye. And therefore sayde Cambyles: then shall Cities be most of all in suretie, when gardians of the peace shall trauell to keepe the night in sattetie. Inso-much, that in Rome one of the lawes of xij. tables was, y^e if an offender wer killed in the night, his death might be iustified: and besides that, whosoener walked at unlawfull tymes, was most severely punished, yea though none other offence were proued. For remedie whereof, to execute the same lawes straightly, they bled in euery ward, at all seasons to keepe their watches, and in tyme of daunger the Magistrates appointed speciall prentices thereunto. Whose seruise neuerthelesse had set all in daunger, when Brennius and the Galles beleaged the Capitall, if the cackling geese had not better

better waked than the sleepe watchmen. And
 therefore famous is the life of Alexander, that
 in all the tymes hee vsed to watche, his maner
 was to holde a ball in his hand ouer a brassen
 pan, by the fall wherof he was sure to breake
 his sleepe. Which I thinke hee learned of the
 cranes that are taught by nature to rooste on
 one legge, with a stone in the other foote, al-
 wayes by falling redy to wake them, if they
 ware drowse where they stande, euermore in
 perill to be taken. By which is noted the great
 care that belongeth to such as haue the charge
 of the people and of their safetie in tymes of
 daunger, that they should bee watchfull per-
 sons, not weery sleepers, not common trespass-
 ers, not peacebrekers, not timorous and fear-
 full, not of euil fame, and more lyke to con-
 ceale offences than to vtter such as shal offend,
 or rather vse the time then most of all to serue
 their owne vngratiousnesse. Whereof many
 good wryters haue entreated at large, as tou-
 ching the necessitie, office and charge of suche
 sorte of ministers in a common weale, with
 the circumstances of the same, which is by so
 many good prouisions and lawdable customes
 exercised of y^e wise, y^e none knoweth not what
 peace and quietnesse it causeth, and contrary-

Alexander
a president
to watch-
men.

Of the
crane.

wise,

The Safegarde.

wise, what notable misdemeanors, open robberies, shameful conspiracies and odious enterprises, are most boldly practised, where suche laudable pollicies are neglected or not severely & discretely put in execution. Many like provisions might be here remembred to further the praise of necessarie government, if the same were not so wel known vnto the simple, as by only care and good intent of magistrates, may easely supplie the whole. To conclude therfore of ciuill regiment that wholie dependeth on vertue, and only for vertues sake by laws and pollicies is enabled, as hath briefly bene proued by the morall obseruations of philosophie and the auncient fourme of government, in the flourishing states of all people, by reforming al degrees to that first perfection, which the only zeale of vertue first of all enabled: let this suffice, that the freedome of so greate decay may none otherwise, than by seruitude of lawes, be last of all repayred: wherevnto, if both the common sort wil be tractable and obeyant, and also the magistrates carefull for to rule as conscience and duetie bindeth, then shall vertue take freedom by lawe, and al the people shall bee ordered with equitie: iustice, shall preserue peace: peace shall bring securitie: securitie

securitie wealth: and wealth, felicitie, on the
 other side, if the people abide indurate to ru-
 stick behauior, or magistrates neglect the au-
 thoritie of lawes, the want of governmēt brea-
 deth licētious libertie, libertie doth opē wōg,
 wōng doing is unpunished, the people are
 animated vnto lewdnesse, & most part suffer
 violēce, by lawles practises, robberies, oppres-
 sions and menacing iniuries, so that p̄ simple
 are quelled with extremities, and the best of
 al shall posses neither life nor goods
 in safetie, to the great dishonoz
 of Magistrates, and the vt-
 ter disperagement of
 the common
 weale.

(··)

FINIS.

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